



Merri-bek
City Council

COUNCIL AGENDA

PLANNING AND RELATED MATTERS

Wednesday 27 August 2025

Commencing 6.30 pm

Bunjil (Council Chamber), Merri-bek Civic Centre,
90 Bell Street, Coburg

Language Link

This is the Agenda for the Council meeting.
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Đây là Nghị Trình cuộc họp của Ủy Ban Quy Hoạch Đô Thị. Nếu muốn biết thêm chi tiết về đề tài thảo luận, xin gọi điện thoại cho Language Link qua số 9280 1915.

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ਇਹ ਕੌਂਸਲ ਦੀ ਮੀਟਿੰਗ ਦਾ ਏਜੰਡਾ ਹੈ।
ਏਜੰਡੇ ਦੀ ਕਿਸੇ ਆਈਟਮ ਬਾਰੇ ਮਦਦ ਲਈ,
ਕ੍ਰਿਪਾ ਕਰਕੇ 9280 0751 ਤੇ ਟੈਲੀਫੋਨ ਕਰੋ।

Acknowledgement of the traditional custodians of the City of Merri-bek

Merri-bek City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Custodians of the lands and waterways in the area now known as Merri-bek, and pays respect to their elders past, present, and emerging, as well as to all First Nations communities who significantly contribute to the life of the area.

1. WELCOME

2. APOLOGIES

Leave of absence has been granted to:

Cr Pulford - 24 August 2025 to 20 September 2025 inclusive.

3. DISCLOSURES OF CONFLICTS OF INTEREST

4. MINUTE CONFIRMATION

The minutes of the Planning and Related Matters Meeting held on 23 July 2025 be confirmed.

5. COUNCIL REPORTS

5.1 CITY DEVELOPMENT ACTIVITY REPORT - JUNE QUARTER 4

5.2 253-259 BRUNSWICK ROAD BRUNSWICK - PLANNING PERMIT
APPLICATION - MPS/2024/528 25

6. URGENT BUSINESS

5. COUNCIL REPORTS

5.1 CITY DEVELOPMENT ACTIVITY REPORT - JUNE QUARTER

Director Place and Environment, Pene Winslade

City Development

Officer Recommendation

That Council notes the City Development Activity Report – June Quarter 2025.

REPORT

Executive Summary

The City Development Urban Planning Unit has continued to produce positive results with the overall application caseload remaining at manageable levels. Having addressed the higher caseloads that resulted from pandemic years the Unit has maintained decision-making timeframes that continue to be better than the metropolitan average.

The 1,134 applications received in the past 12 months (2024/25 financial year) was a slight increase of 5 per cent compared to the previous 12 months, although notably lower pre-pandemic years. The caseload of planning applications awaiting determination continues to be at an ideal level to enable timely decision-making and great customer service.

The focus for the Urban Planning Unit is to influence high quality planning outcomes, while maintaining the timeliness of planning permit decisions. The June quarter saw the continuation of decision-making above the current State average of 66 per cent, with 74 per cent of decisions being made within the 60 statutory days at Merri-bek. Pleasingly, Vic Smart timeframes, for minor matters, also remain above the State average of 83 per cent, with 92 per cent of decisions made within 10 statutory days at Merri-bek.

Victorian Civil and Administrative Tribunal (VCAT) activity remains at a lower level when compared to the pre-pandemic case numbers. When decisions including consent orders are included, Council won or its concerns were addressed, with agreement reached by revised plans, in 83 per cent of cases in the past 12 months (2024/25 financial year).

Of the 8 planning decisions made at the Planning and Related matters Council meeting in 2024/25 that were appealed to VCAT, 6 were either won, withdrawn or ultimately resolved via consent of all parties, often based on revised plans to address Council's concerns. This results in a success rate of 75 per cent.

The Planning Enforcement Unit has also had a productive quarter. The overall performance of the reactive enforcement service has continued to improve this year, with the 102 cases closed, exceeding the 99 cases received this quarter, helping to maintain the overall backlog of cases at now manageable levels. The proactive enforcement program met its target of 90 proactive audits being commenced in 2024/2025. The team were able to close 67 per cent of cases without the need to escalate to formal enforcement actions.

Previous Council Decisions

City Development Activity Report – March Quarter 2025 – 28 May 2025

That Council notes the City Development Activity Report – March Quarter 2025.

1. Policy Context

The City Development Branch administers Council's town planning, building and environmental health decision-making and compliance responsibilities under the Merri-bek Planning Scheme, *Planning and Environment Act 1987*, *Building Act 1993*, *Building Regulations 2018*, *Building Code of Australia 2006*, *Food Act 1984*, and *Public Health and Wellbeing Regulations 2009*. This report has a focus on the Urban Planning and Planning Enforcement services within the Branch.

2. Background

This report shows the key operational performance and activity of the Urban Planning Unit and Planning Enforcement Unit within the City Development Branch.

This includes analysis of:

- Planning applications received, determined and outstanding.
- Planning application decision-making.
- Streamlined planning services.
- Ministerial and Heritage Victoria applications.
- Retrospective planning applications.
- Planning applications with affordable housing.
- Council's performance at the VCAT.
- Proactive and reactive planning enforcement activity.
- Planning investment activity.

3. Issues

Urban Planning

Planning Permit Activity

A total of 296 planning applications were received for the June quarter. This compared with 287 for the same quarter in 2024. A total of 257 planning applications were decided in the June quarter compared to 270 for the same quarter in 2024.

In the past 12 months (2024/25 financial year), there have been 1,134 planning applications received by Council, in comparison to 1,084 applications being received by Council in the previous 12 months. This reflects a 5 per cent increase in planning applications compared to the previous 12 months. It is noted however that application numbers remain lower than previous years with 1,383 applications received in 2021. The number of decisions made in the past 12 months was 37 applications less than the number of applications being received, while manageable officer caseloads have been maintained. See **Figures 1 and 2 at Attachment 1**.

It remains that most applications lodged for the quarter were multi-unit development with 89 applications received. Alterations and additions to buildings comprised 50 applications received. See **Figure 3 at Attachment 1**, for a complete breakdown of the different application types received.

The percentage of applications determined within the 60 day statutory timeframes for all Councils averaged 66 per cent in the 2024/25 financial year. Merri-bek's average for the 2024/25 financial year was higher at 74 per cent (or 77 per cent for the June quarter). It is pleasing to see the continuation of timely decision-making in the June quarter, particularly given the higher number of more resource intensive medium and high density applications at Merri-bek in comparison to many others. See **Figure 4 at Attachment 1**.

Streamlined Planning Services

Council's streamlined planning services include the Vic Smart and Fast Track streams (being minor permit applications that do not qualify as Vic Smart), as well as the Commercial Priority Planning Permit Service, which is a service to assist businesses setting up or expanding in Merri-bek.

Figure 5, in Attachment 1, shows the continued high performance of the Vic Smart application timeframes in the 2024/2025 financial year, with 92 per cent (or 93 per cent for the June quarter) of Vic Smart planning permit applications determined within 10 days, compared to the State average in 2024/2025 financial year of 83 per cent. It is pleasing to see performance continually exceeding the State average.

The Commercial Priority Planning Service is a longstanding initiative, developed by the Urban Planning Unit, to provide dedicated senior planning officer support to new or expanding local businesses and reward well prepared applications with a more expedient assessment and decision. In the 2024/2025 financial year, there have been 27 new or expanding businesses processed as Commercial Priority applications, with 74 per cent of these applications determined within 60 statutory days. This does meet the Unit target of 70 per cent noting the Commercial Priority Planner position was vacant between September to November 2024. The recruitment of a new Commercial Priority Planner at the end of November 2024 required learning of the systems and processes to achieve this greater level of efficiency.

The Urban Planning Unit also supports the Better Approvals Merri-bek business concierge service, by providing planning advice to between 12 to 23 businesses a month. Some of the planning advice confirms no planning permit is needed, with others serving as the first point of contact for the Commercial Priority Planning Service.

Planning Proposals Under Consideration by the Minister for Planning

Increasingly the Minister, rather than Council, is the responsible authority for major developments, private schools and social or affordable housing proposals across the State of Victoria. The Victorian Planning System also provides the ability for the Minister for Planning to intervene in VCAT or Council decisions.

In September 2023, all Victorian Planning Schemes were amended, to include two new provisions to facilitate developments that provide a significant level of housing, including affordable housing, or make a significant contribution to Victoria's economy and provide substantial public benefit, including new jobs. These developments must meet requirements specified in Clause 52.22 or Clause 52.23 of Victorian Planning Schemes. In April 2025, these Ministerial application avenues were further expanded, by a new Clause 52.35 (Great Design Fast Track). This new provision seeks to facilitate development that is of a high quality in its design, liveability and sustainability. Applications made under these new provisions will be determined by the Minister, rather than Councils and will continue to be subject to public notice requirements, including notice to Council. However, the Minister's decision on these proposals are exempt from VCAT reviews by objectors, including any objection by Council.

While the *Planning and Environment Act 1987* has always enabled the Minister to 'call-in' and decide applications of state significance, these new provisions provide the Minister with the responsible authority status to decide the applications without the need to use Ministerial powers of intervention.

Heritage Permit Applications before Heritage Victoria

In the last quarter, the Executive Director, Heritage Victoria did not seek Council's views on any heritage permit applications.

Retrospective Planning Permits

Retrospective planning applications seek approval for a use or development that has already taken place without the necessary planning approval. These applications are usually a result of action by Council's Planning Enforcement Unit. The planning compliance practice, encouraged by VCAT and the Magistrates Court, is to firstly pursue retrospective approval, when this may be possible, before occupying VCAT and Magistrates Court time on planning enforcement matters.

In the June 2025 quarter, Council received 5 retrospective planning permit applications, while 7 decisions were made on retrospective planning applications. The types of retrospective applications determined include:

- Amend a permit to include a roof terrace on a mixed used building.
- Amend a permit to increase operating hours for a yoga studio.
- Amend a permit to change materials of a multi dwelling development.
- Amend a permit to allow the construction of an acoustic screen around the deck and landing of stairs, and an increase to the hours of operation for a venue.
- Amend a permit to include a carport for multi dwelling development. This application was refused.
- A new planning permit application for a new business and advertising signs.
- A new planning permit application for part demolition of a house in a Heritage Overlay.

Social and Affordable Housing

The Victorian Planning and Environment Act 1987, defines affordable housing as housing that is appropriate to the needs of very low, low, and moderate income households. An annually updated Governor in Council order sets the income thresholds for affordable housing. Social housing is a distinct type of affordable housing which has specific eligibility requirements defined under the Housing Act, 1983. Social housing includes public housing which is owned and usually managed by the State Government, or which is owned and/or managed by a registered housing agency.

Council has undertaken significant research to estimate the need for social and affordable housing, projecting up to 2036. The shortfall in affordable housing in Merri-bek was at least 4,000 dwellings in 2016. This shortfall will rise to between 7,000 and 10,500 by 2036. The Council Plan 2021-2025 includes a number of strategies to increase social and affordable housing in Merri-bek, including through supporting the establishment of Merri-bek Affordable Housing, revitalising major activity centres and developing affordable housing on Council land.

In October 2022, Council endorsed a 4 year Affordable Housing Action Plan. This Plan includes an action to facilitate affordable housing provision in planning permit applications. The provision of social and affordable housing in new development is not currently mandated in the Merri-bek Planning Scheme and has to be negotiated on a voluntary basis through the planning permit application process. All Victorian Planning Schemes contain specific statewide provisions whereby the Minister for Planning can be the Responsible Authority for certain types of developments, and an affordable housing contribution is normally required.

In the period from January to June 2025 inclusive, the following planning permits were issued with a requirement to provide social or affordable housing, totalling 43 dwellings:

- 16-20 Sheppard Street, Planning Permit MPS/2024/531 issued by Council on 3 February 2025, including at least 9 affordable dwellings (12.5 per cent).

- 251-265 Lygon Street and 1A Pitt Street, Brunswick East. Planning Permit PA2403218 (Issued by the Minister for Planning) on 28 February 2025, with 27 affordable dwellings (25 per cent).
- 1/427 Albert Street, Brunswick. Planning Permit PA2403456 (Issued by the Minister for Planning) on 27 March 2025, with either 7 affordable dwellings (10 per cent) or an alternative affordable housing contribution (i.e. cash contribution).

Council's performance at the Victorian Civil and Administrative Tribunal

In the June quarter, 9 applications for review of planning decisions were lodged at VCAT, being:

- Five against a refusal to grant a planning permit;
- Two by permit applicants against conditions included on a planning permit; and
- Two lodged by objectors against a notice of decision to grant a planning permit.

Only 22 applications for review to VCAT were lodged in the 2024/25 financial year.

The number of VCAT reviews is still well below averages of the pre-pandemic years.

Figures 6, 7 and 8 in Attachment 1 provide further details of the trend of reduced VCAT reviews lodged and determined over the last 5 years.

In respect to success at VCAT, this is represented in **Figures 9 and 10 in Attachment 1**.

Figure 10 indicates that of the total VCAT decisions made in the 2024/25 financial year when including decisions that were resolved by consent of all parties as a win, Council won, 25 cases and lost 5 cases

Table 1, in Attachment 2 is a more detailed list of all VCAT reviews lodged in the June quarter.

There were 9 decisions made by VCAT in the June quarter. Details of these decisions are provided in **Table 2, in Attachment 2**.

The State Planning Permit Activity Reporting System (PPARS) indicates that Council's VCAT success rate is slightly higher than the rest of the State at 69 per cent, compared to 66 per cent State-wide. Importantly, however PPARS does not include cases resolved by consent of all parties, often following the circulation of revised plans. In the 2024/25 financial year 8 (25 per cent) of VCAT decisions were resolved by consent of all parties.

When decisions including consent orders are included, Council won or its concerns were addressed, and agreement reached by revised plans in 83 per cent of cases in the past 12 months (2024/25 financial year).

VCAT Outcomes from Planning and Related Matters Council Meeting Decisions

There were 8 VCAT determinations in the 2024/25 financial year that relate to planning decisions made at the Planning and Related Matters Council meeting. Of these 8 decisions, 6 were either won, withdrawn or ultimately resolved via consent of all parties, often based on revised plans to address Council's concerns. This results in a success rate of 75 per cent.

In the June quarter the following VCAT outcome is noted.

20 Leinster Grove, Brunswick East

This application sought approval for the construction of a nine storey building containing 138 dwellings.

Council's refusal and submission to VCAT argued that the proposal represented a significant departure from the preferred built form controls for the site. This site is zoned mixed use with a preferred building height of 17m (5-6 storeys). The proposal failed to provide an appropriate transition in height and setbacks to the low-rise residential area to the east and the adjoining parkland (Methven Park), resulting in unacceptable visual bulk and overshadowing. It also failed to meet key planning policies regarding internal amenity of apartments, equitable development opportunities with neighbouring sites, and environmentally sustainable design. Furthermore, Council opposed the removal of a carriageway easement, emphasising its strategic importance for future pedestrian connectivity between Lygon Street and Methven Park.

VCAT agreed with Council that the proposal did not adequately respond to its physical and policy context, particularly in terms of excessive height, insufficient setbacks, and poor transition to adjoining residential and parkland areas. VCAT found the development would cause unreasonable visual bulk and overshadowing impacts and failed to achieve acceptable internal and external amenity outcomes. VCAT also supported retaining the carriageway easement, highlighting its potential for future pedestrian connectivity and alignment with broader planning objectives.

Planning Enforcement Activity

Planning enforcement activity includes both reactive and proactive enforcement. Reactive enforcement is investigating complaints about land use and development that may have occurred without a planning permit or may not accord with a planning permit.

Proactive enforcement is proactively checking compliance with a planning permit as the construction and preparation for the new use or development is occurring.

Reactive enforcement activity

Figure 1, in Attachment 3 shows that a total of 99 complaints were received in the three months that make up the June quarter of 2025. This is consistent with the number of complaints received in the March quarter in 2024 and similar to the 96 complaints in the March quarter in 2023. The team were able to close 120 cases this quarter which is more than the number of cases received. This is an increase from the March 2025 quarter of 89 per cent of cases received being resolved and 86 per cent of cases resolved in the December 2024 quarter.

A total of 411 cases were received and 463 cases were determined in 2024/2025 compared to 403 cases received and 405 cases determined in 2023/2024, indicating relatively consistent level of planning compliance cases in recent years.

Figure 2, in Attachment 3 shows how the outstanding reactive enforcement caseload is tracking. From a peak in the December 2023 quarter of 256 active cases, the number has reduced to 140 cases at the end of the June 2025 quarter. Pleasingly, Figure 2 shows that the team are tracking well and have been able to get on top of the backlog, with individual officer caseloads now returning to more ideal levels. Further reductions are required to return to even higher levels of performance.

Figure 3, in Attachment 3 shows the outcome of investigations over the June 2025 quarter. The most common outcome was that the investigation found the complaint to be unfounded (no planning breach identified) in 68 cases, followed by 23 cases where an informal resolution was achieved when a breach was not confirmed but the land owner or occupier informally addressed the concern raised. In 17 cases compliance was achieved without the need to escalate to fines or other formal enforcement proceedings.

In 7 cases, a minor breach was identified but no action was warranted, reflecting a proportionate response to the seriousness of the breach identified. Breaches are categorised into three categories, and where a breach is determined to be 'negligible impact and/or risk', it is not an efficient use of Council resources to require rectification of the breach.

For transparency, all negligible breaches are recorded with an accompanying explanation as to why the breach is considered negligible and therefore further action will not be pursued.

Proactive enforcement activity

Each year the proactive planning enforcement program aims to audit at least 80 medium density developments and 10 developments where the planning permit was issued following a Planning and Related Matters (PARM) Council meeting, or after a refusal was overturned at VCAT.

The team also proactively audit all sites with a planning permit requirement to undertake an environmental audit.

All planning permits that have a requirement to enter into a legal agreement with Council, for matters of particular importance or agreed community benefits, such as affordable housing, or new publicly accessible links/open space, are also proactively audited.

A total of 90 new proactive audits were allocated in 2024/25. **Figure 4, in Attachment 3** shows that 23 of these new proactive audits commenced in the June quarter. The proactive enforcement program met its target of 90 proactive audits being commenced in 2024/25. **Figure 5, in Attachment 3** shows a total of 12 out of 18 cases were closed in the June 2025 quarter through the proactive enforcement program without needing to be escalated to enforcement action. This represents 67 per cent of the total number of cases closed this quarter, demonstrating the value of the proactive enforcement program.

In total 36 planning breaches were rectified this quarter through the proactive enforcement program. These are breaches that would otherwise have been passed on to the new owners of developments in Merri-bek. The types of breaches resolved are shown in **Figure 6, in Attachment 3** which shows that 'Environmentally Sustainable Design' (ESD) breaches and 'Other' breaches continue to be the most common. ESD breaches include requirements such as the provision of solar panels, passive ESD features like double glazing, external shading to windows. These are followed by a failure to provide Adjustable Shading Devices (ASD), tree protection zones and landscaping breaches.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities, and it was found that it does not contravene any of these sections and supports the following rights:

- Section 18: Taking part in Public Life
- Section 13: Privacy and Reputation

4. Community consultation and engagement

No consultation was required to inform the preparation of this report.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

There are no financial or resource implications as a result of this report.

The ongoing operation of the Urban Planning Unit and Planning Enforcement Unit can be met within the existing base budget.

In terms of overall development in Merri-bek during the June 2025 quarter, developments to the value of \$124 million have been approved by planning permits issued by the Urban Planning Unit, compared to \$109 million during the same quarter in 2024. Notably, following changes to all Victorian Planning scheme many of the more significant developments in Merri-bek are now being decided by the Minister for Planning, rather than Council.

A total of \$1.27 million in Public Open Space Contributions was collected from the subdivision of new development in Merri-bek during the June 2025 quarter to help fund the provision of new or enhanced parkland.

7. Implementation

The performance of the Urban Planning and Planning Enforcement Units within Council's City Development Branch will continue to be monitored with the activity report for the next quarter to be presented to the November 2025 Planning and Related Matters Council meeting.

Attachment/s

1	Urban Planning data - June quarter 2025	D25/403623
2	VCAT data - June quarter 2025	D25/408514
3	Planning Enforcement data - June quarter 2025	D25/412372

Attachment 1 – Urban Planning March 2025 Quarterly Data

PART 1 – volume

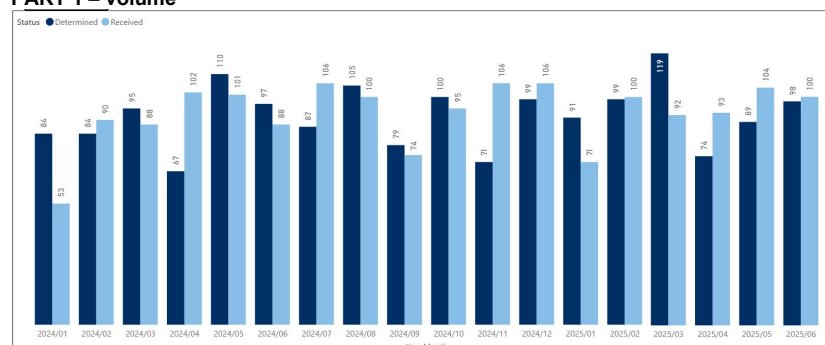


Figure 1: Urban planning number applications received and determined since January 2024

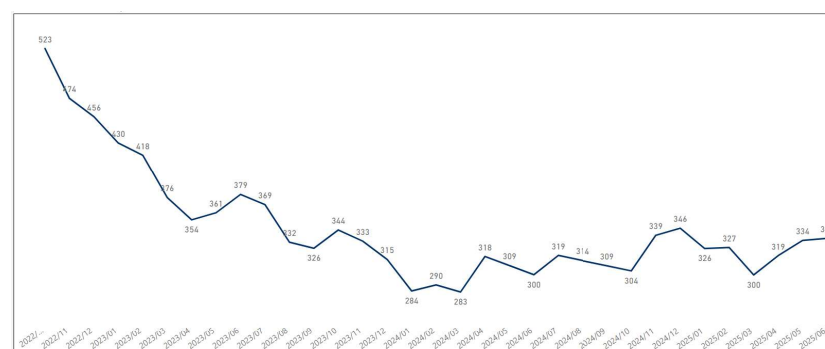
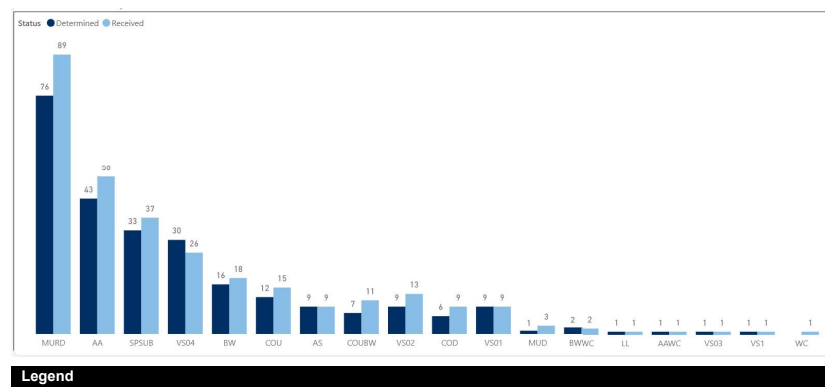


Figure 2: Urban planning overall caseload since October 2022



Legend

MURD = multi unit residential development	AA = alterations and additions (or house extension)	SPSUB = subdivision	VS01, VS02 and VS04 = VicSmart	BW = buildings and works
COU = change of use	AS = advertising sign	COUBW = use and development	COD = construction of dwelling	MUD = mixed use development
BWWC – buildings, works and waiver car parking	LL = liquor licence	BWWC = building and works, waiver car parking	AAWC – alterations, additions and waiver car parking	WC = Waiver car parking

Figure 3: Urban planning applications received and determined March quarter

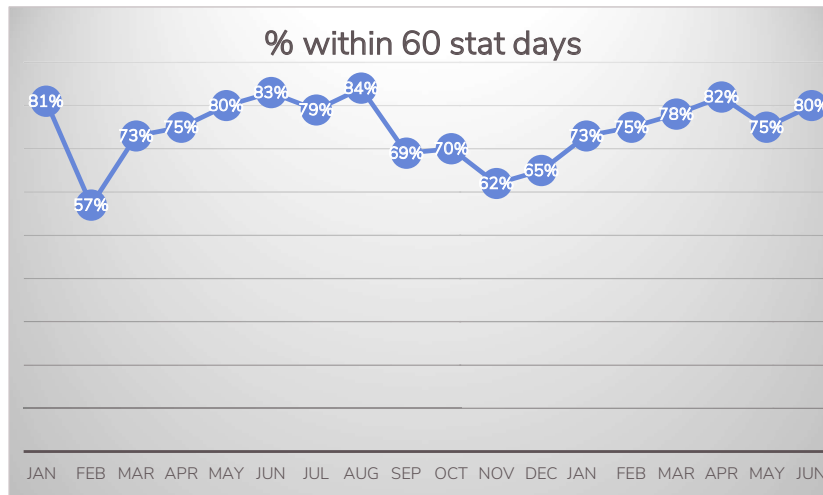
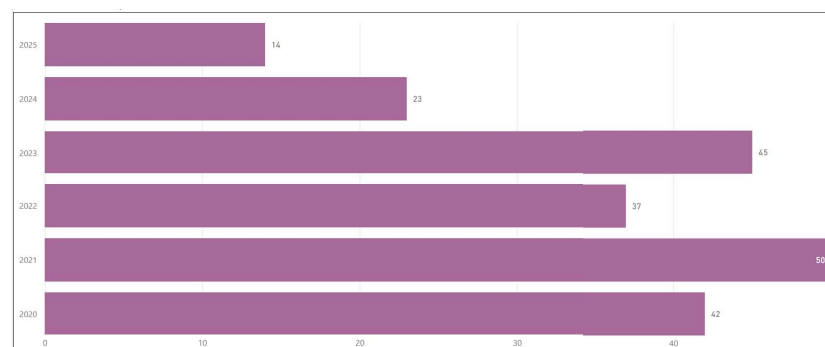
PART 2 – Timeliness

Figure 4: Urban planning applications determined within 60 days for 18 months



Figure 5: Urban planning VicSmart applications determined within 10 days for 18 months

PART 3 – VCAT



Breakdown this quarter:

Section 77 (refusal) = 5	Section 82 (objectors) = 2
Section 80 (conditions) = 2	

Figure 6: VCAT review reviews lodged since 2020, by calendar year

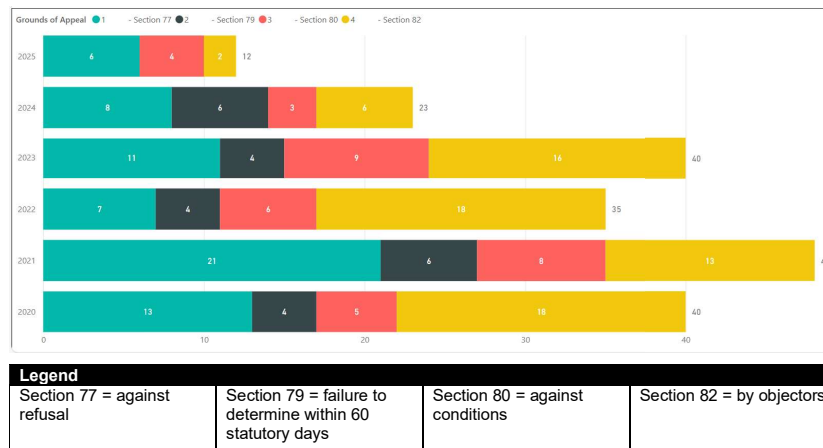


Figure 7: VCAT reviews lodged by type since 2020

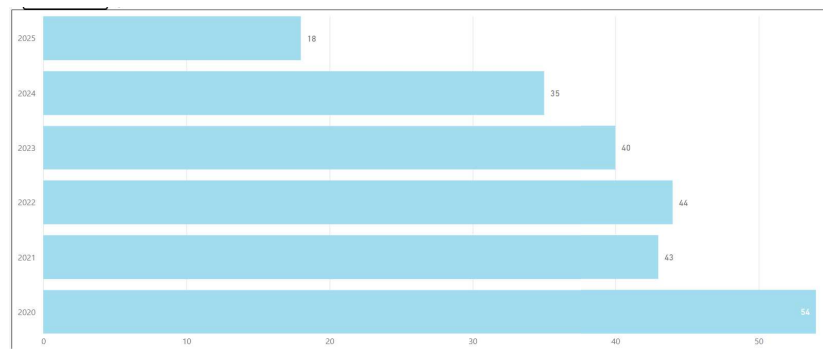


Figure 8: VCAT reviews determined by calendar year since 2020

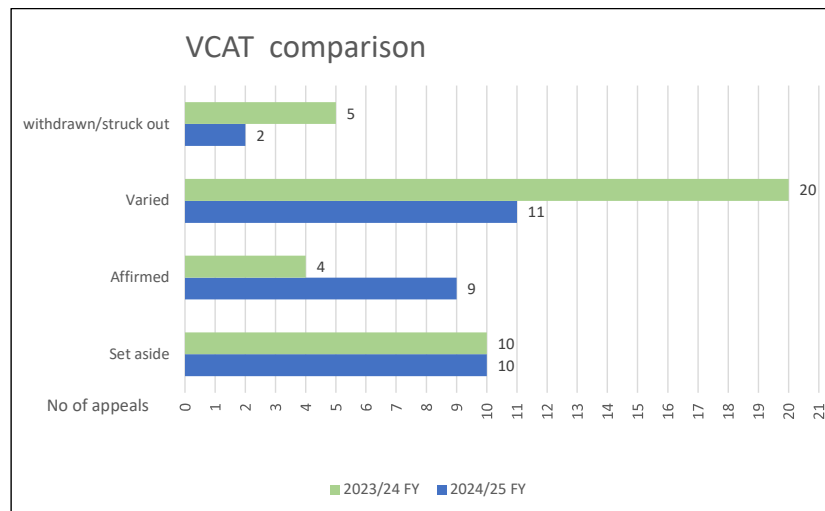


Figure 9: VCAT results comparing years (includes consents)

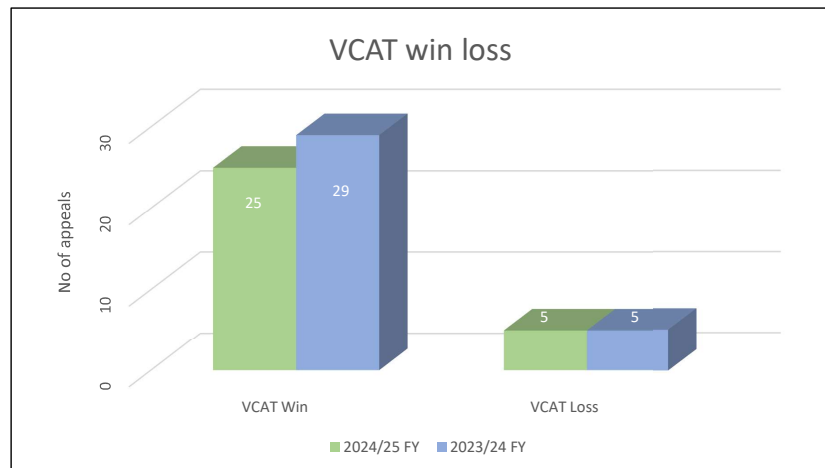


Figure 10: VCAT results comparing years with consent counted as a win

Attachment 2, City Development Activity Report, VCAT Activity – June 2025 Quarter

VCAT Appeals lodged in June 2025 quarter				
Application number	Appeal type	Address	Original decision	Proposal
Council Meeting Decision				
MPS/2022/934/A	Objector against approval	1-5 Weston Street, BRUNSWICK	Amended Notice of Decision to Grant a Planning permit	Amend the existing planning permit by making modifications to external building appearance, changes to internal floor areas, and introduction of new land use (indoor recreation facility)
MPS/2024/465	Objector against approval	27 Ballarat Street, BRUNSWICK	Notice of Decision to Grant a Planning permit	Development of the land for a multi-storey building containing dwellings and ground floor commercial, and reduction to the standard car parking requirements
Delegated Officer Decision				
MPS/2008/737/A	Applicant against conditions	4 Sheppard St, COBURG NORTH	Amended Planning Permit	Amend the existing planning permit by converting an arts and craft studio into five dwellings and a reduction in car parking.
MPS/2012/333/D	Applicant against conditions	160 Weston St, BRUNSWICK EAST	Amended Planning Permit	Amend the existing planning permit to introduce Illuminated signage for an apartment building.
MPS/2015/892/A	Applicant against refusal	8 McMahon Rd, COBURG NORTH	Amendment Refusal	Amend the existing planning permit to construct a carport to Dwelling 1.
MPS/2021/695/A	Applicant against refusal	16 Jessie St COBURG	Amendment Refusal	Amend the existing planning permit to construct a new single crossover.
MPS/2024/366	Applicant against refusal	98-100 John St, BRUNSWICK EAST	Refusal	Use and development of the land for the purpose of dwellings and a reduction in the statutory car parking rate
MPS/2024/474	Applicant against refusal	12 Margaret St, OAK PARK	Refusal	Construction of four double storey dwellings in a Special Building Overlay
MPS/2024/499	Applicant against refusal	20 Gowanbrae Drive, GOWANBRAE	Refusal	To delete Item 4 of the Restrictive Covenant (X219447T) that prohibits the further subdivision of Lot 91 on the Plan of Subdivision, which restricted development of the land in a now unused electrical easement to allow for a new dwelling.

Table 1: VCAT reviews lodged in the June 2025 quarter

Attachment 2, City Development Activity Report, VCAT Activity – June 2025 Quarter

VCAT reviews determined in the June 2025 quarter:						
Application number	Appeal type	Address	Original decision	Proposal	Consent Order	VCAT decision
Council Meeting Decision						
MPS/2022/934/A	Objector against approval	1-5 Weston St, BRUNSWICK	Amended Notice of Decision to Grant a Planning permit	Amend the existing planning permit by making modifications to external building appearance, changes to internal floor areas, and introduction of new land use (indoor recreation facility)	No	Objector withdrew the VCAT review.
MPS/2024/5	Applicant review as decision not made within 60 statutory days	20 Leinster Gr, BRUNSWICK EAST	Refusal	The development of the land for a multi level apartment building, removal of an easement and reduction in the statutory car parking provisions	No	VCAT agreed with Council that the proposal did not adequately respond to its physical and policy context, particularly in terms of excessive height, insufficient setbacks, and poor transition to adjoining residential and parkland areas. VCAT found the development would cause unreasonable visual bulk and overshadowing impacts and failed to achieve acceptable internal and external amenity outcomes. VCAT also supported retaining the carriageway easement, highlighting its potential for future pedestrian connectivity and alignment with broader planning objectives.
Delegated Officer						

Attachment 2, City Development Activity Report, VCAT Activity – June 2025 Quarter

Decision						
MPS/2012/333/D	Applicant against conditions	160 Weston St, BRUNSWICK EAST	Amended Planning Permit	Amend the existing planning permit to introduce illuminated signage for an apartment building.	No	This decision was affirmed by VCAT, who noted: “... I find the illumination of the signs detracts from the appearance of the area as a residential neighbourhood and affirm Council's decision with the conditions in dispute unchanged. [Paragraph 17]
MPS/2017/633/A	Objector against approval	134 Lygon St, BRUNSWICK EAST	Notice of Decision to Grant a Planning permit	Amend a planning permit to allow the construction of an acoustic screen around the deck and landing of stairs, and an increase to the hours of operation	No	This decision supports Council's position that extended operating hours are appropriate. VCAT considered that the extension of the trading hours will not create an unacceptable noise and amenity impact.
MPS/2016/698/A	Applicant review against refusal	238 Waterloo Rd, OAK PARK	Refusal to Amend a planning permit	The amendment to the planning approval seeks the removal of external shading devices (roller blinds or retractable awnings) located over habitable room windows on the east, north and west elevations.	No	Council's refusal was set aside. VCAT determined that external shading should remain for Dwelling 1, due to its orientation however can be removed for Dwellings 2 to 5. It was noted by VCAT that external screens may not be the only option to achieve energy performance and internal amenity for the future occupants of the dwellings.
MPS/2024/196	Objector against approval	431-441 Moreland Road, PASCOE VALE SOUTH	Notice of Decision to Grant a Planning Permit	Use and development of a 123 place childcare centre	Yes	VCAT granted a permit after Council, the objector party and the permit applicant agreed to a consent position. The main changes were additional stroller parking, allocating more parking for staff and extra acoustic treatment.

Attachment 2, City Development Activity Report, VCAT Activity – June 2025 Quarter

MPS/2024/239	Applicant review against conditions	10 Prendergast St, PASCOE VALE SOUTH	Planning Permit	Demolition of a dwelling and building and works to construct a double storey dwelling in a Heritage Overlay	Yes	VCAT granted a permit after Council, the objector and the permit applicant agreed to a consent position. The applicant agreed to a single width garage and terracotta roof tiles. Amended plans introduced an additional habitable room to the frontage and car stacker in the driveway.
MPS/2024/375	Applicant review as decision not made within 60 statutory days	1/103 Rennie St, COBURG	Refusal	Construction of a carport in front of the dwelling	No	This decision was affirmed by VCAT, who noted: ...I cannot support the structure so close to the street that encroaches into the front garden setting. [paragraph 19]
MPS/2024/443	Applicant review against conditions	12 Collings St, BRUNSWICK WEST	Planning Permit	Partial demolition, alterations and additions to the existing dwelling in a Heritage Overlay	Yes	VCAT granted a permit after Council and the permit applicant agreed to a consent position. The applicant agreed to increase the front setback by 600mm and introduce a step to the east elevation.

Table 2: VCAT reviews determined in the June 2025 quarter

City Development Activity Report

Attachment 3 – Planning Enforcement Unit – June 2025 Quarterly Data

Figure 1: Received vs Determined Reactive Cases - June Quarter 2024/25

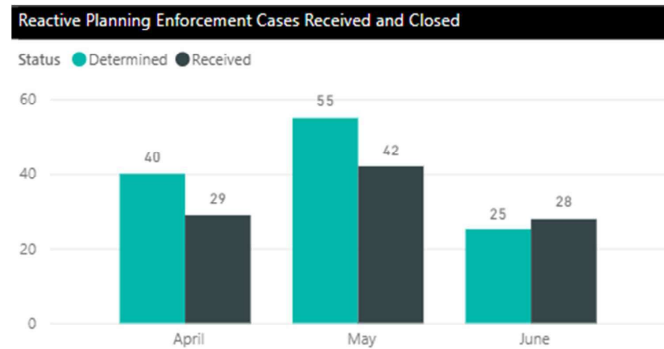


Figure 2: Outstanding Planning Enforcement Reactive Cases at 30 June 2025

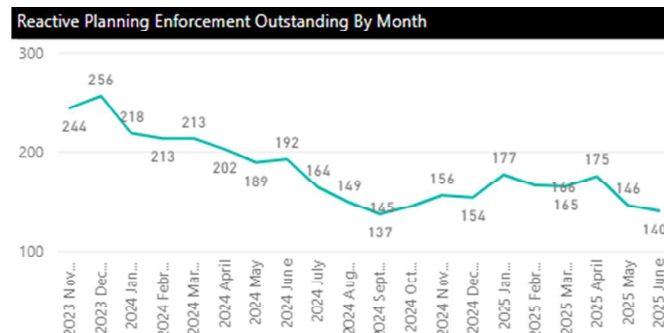


Figure 3: Outcome of Reactive Cases - June Quarter 2024/25

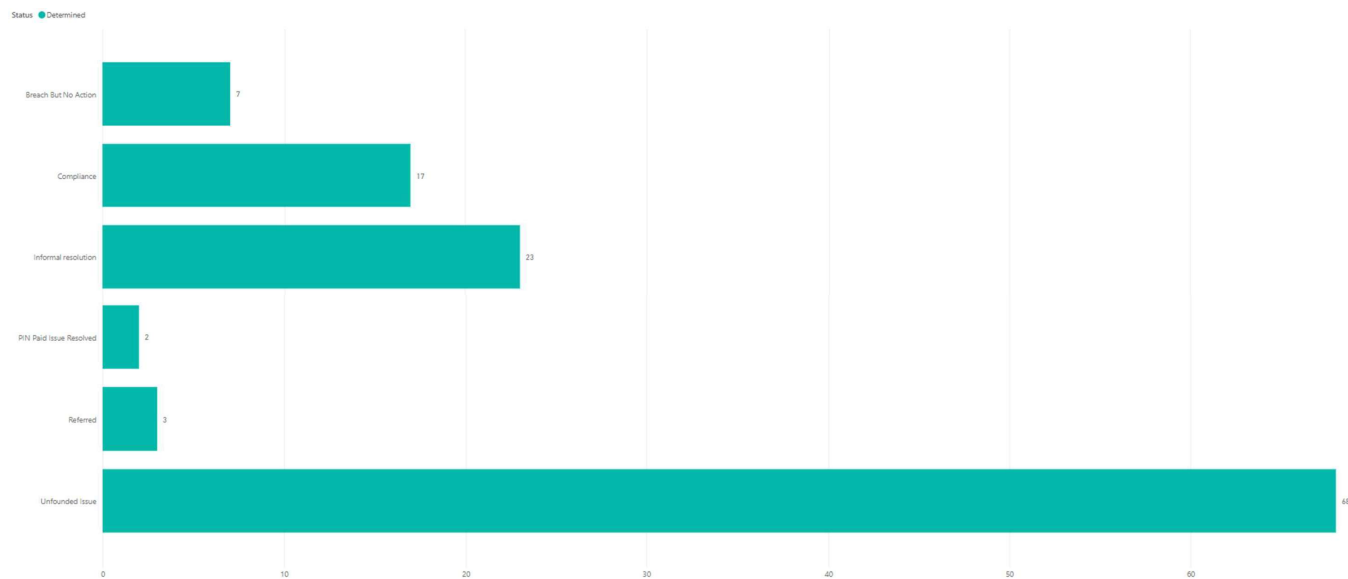


Figure 4: Proactive First Inspections Completed - June Quarter 2024/25

First Inspections Completed	
Count of Major_Description	Major_Description
5	VCAT Overturn or PARM
18	Statement of Compliance or Certificate of Occ
23	

Figure 5: Proactive Cases closed with non-compliance rectified without escalation - June Quarter 2024/25

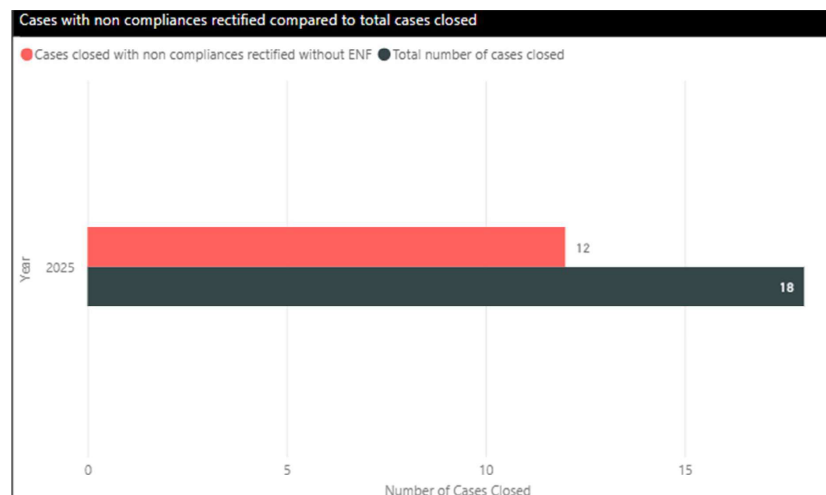
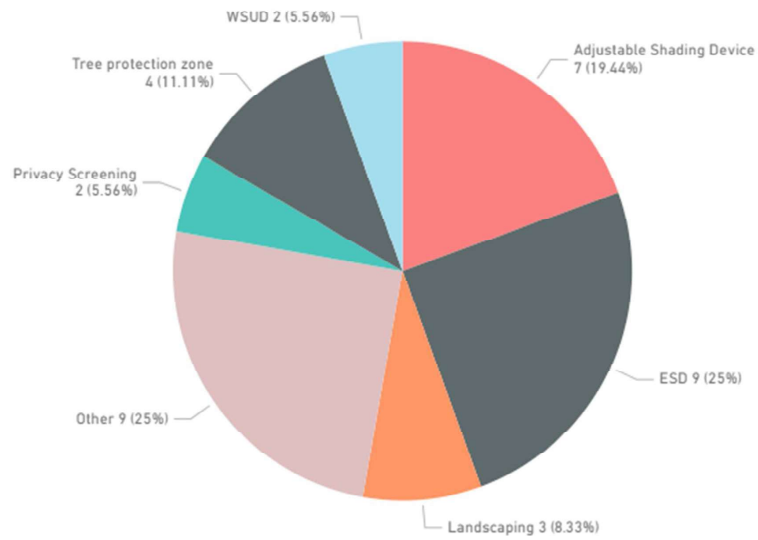


Figure 6: Non-compliances rectified through Proactive Enforcement - June Quarter 2024/25

Non compliances rectified by type



5.2 253-259 BRUNSWICK ROAD BRUNSWICK - PLANNING PERMIT APPLICATION - MPS/2024/528

Director Place and Environment, Pene Winslade
City Development

Executive Summary



Property:	253-259 Brunswick Road, Brunswick		
Proposal:	Use of the land for student accommodation, buildings and works associated with the construction of a five (5) storey addition above the existing heritage building, and a reduction in car parking requirements		
Zoning and Overlay/s:	<ul style="list-style-type: none"> Commercial 1 Zone Heritage Overlay – Schedule 41 Design and Development Overlay – Schedule 18 Parking Overlay – Schedule 1 Environmental Audit Overlay Development Contributions Plan Overlay 		
Strategic setting:	Minimal change	Incremental change	Significant change
Objections:	<ul style="list-style-type: none"> 22 objections from 20 properties 1 petition with 38 signatories Key issues: <ul style="list-style-type: none"> Car parking and traffic Building height and bulk Loading and waste collection Overshadowing, overlooking and noise Location and demand for use Heritage 		
Planning Information and Discussion (PID) Meeting:	<ul style="list-style-type: none"> Held: 1 July 2025 Attendees: 8 objectors, the applicant, 2 Council officers, and Councillors Iwasaki and Irvin The applicant provided the following agreements after the PID meeting, to form conditions on permit: <ul style="list-style-type: none"> Waste collection to be undertaken from Brunswick Road, subject to support from the relevant road authority. Collection of waste outside of peak times. Provision of an operational management plan restricting hours of use for the outdoor common areas. 		
ESD:	<ul style="list-style-type: none"> 64 per cent BESS Score. 130 per cent STORM Rating. 30kw Solar PV system. 15,000 litre rainwater collection and reuse system. 		

Key reasons for support	<ul style="list-style-type: none"> • The design is responsive to the site and seeks to retain the existing heritage building within a bespoke and high quality architectural outcome that will be a notable contribution within the streetscape. • Good internal amenity for students, with external outlooks provided to all rooms and generous provision of both private and communal facilities. • Conditions are needed to reduce the shadow impact on the Brunswick Road footpath, which is a key pedestrian street.
Recommendation:	<p>A) Notice of Decision to Grant a Planning Permit be issued for the proposal.</p> <p>B) The zero on site car parking spaces for student accommodation is to the satisfaction of the Responsible Authority.</p>

Officer Recommendation

Recommendation A:

That a Notice of Decision to Grant a Planning Permit No. MPS/2024/528 be issued for the land at 253-259 Brunswick Road, BRUNSWICK.

The Permit would allow:

Use of the land for student accommodation, buildings and works associated with the construction of a five (5) storey addition above the existing heritage place, and a reduction in car parking requirements.

Planning Scheme Clause	Matters for which permit is required
34.01-1	Use of land for accommodation in the Commercial 1 Zone
34.01-4	Construct a building or construct or carry out works in the Commercial 1 Zone
43.02-2	Construct a building or construct or carry out works in the Design and Development Overlay – Schedule 18
52.06-2	Reduce (including reduce to zero) the number of car parking spaces required

The following conditions would apply to this permit:

Amended Plans

1. Before the use and development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans prepared by Hayball Architecture (Project No. 2732) and advertised on 26 May 2025, but modified to show:
 - a) No overshadowing of the footpath on the opposite side of Brunswick Road between 10am and 2pm at the equinox through:
 - i. Reducing street wall height on Brunswick Road to a maximum of 20 metres, as measured from the footpath level adjacent to the centre of the Brunswick Road title boundary; and
 - ii. Upper level setbacks above the street wall height to achieve reduced overshadowing.
 - b) Removal of the vehicle crossover and footpath reinstatement on Brunswick Road.

- c) An additional window provided on Levels 3, 4, 5 and 6 on the east elevation (Black Street).
- d) Provision of additional seating within communal areas on Levels 4, 5 and 6.
- e) A minimum of 121 resident bicycle parking spaces located out of the weather and in a location inaccessible to the public and visitors.
- f) Annotation on the ground floor plan outlining the following:
 - i. Double-tier bicycle racks provided as “JOSTA 2-tier High Capacity Racks” or similar.
 - ii. The public footpath will be reinstated with a crossfall slope of 1 in 33 from top of roadside kerb to property boundary
 - iii. The floor for each pedestrian entrance to be ramped down to match the level of the public footpath that will be reinstated at 1 in 33 from top of roadside kerb.
- g) The Environmentally Sustainable Design initiatives that are required to be shown on plans, as contained within Condition 19 of this permit.
- h) Any changes to the plans arising from the:
 - i. Landscape Plan in accordance with Condition 3 of this permit.
 - ii. Facade Strategy and Materials and Finishes Schedule in accordance with Condition 11 of this permit.
 - iii. Waste Management Plan in accordance with Condition 23 of this permit.
 - iv. Accessibility Report in accordance with Condition 26 of this permit.

Compliance with Endorsed Plans (Use and Development)

2. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority. This does not apply to any exemption specified in Clauses 62.01, 62.02-1 and 62.02-2 of the Merri-bek Planning Scheme unless specifically noted as a permit condition.

Landscape Plan

3. Prior to the endorsement of plans, an amended landscape plan must be submitted to the Responsible Authority. The landscape plan must be generally in accordance with the plan prepared by Enlocus Landscape Architects dated 24 February 2025 but amended to show:
 - a) Rooftop planting and vertical planting such as climbing plants or facade-integrated planters.
 - b) Planter soil areas of a minimum 750mm depth for all tree planting.
 - c) Any changes required by Condition 1 of the permit.

When submitted and approved to the satisfaction of the Responsible Authority, the landscape plan will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the Responsible Authority.

Landscaping works to be completed

4. Prior to the issue of an Occupancy Permit or issue of a Certificate of Final Inspection, whichever comes first, all landscaping works, including installation of automatic irrigation, must be completed in accordance with the endorsed landscape plan to the satisfaction of the Responsible Authority.

Landscaping maintenance

5. All landscaping and irrigation systems must be maintained to the satisfaction of the Responsible Authority in accordance with the endorsed landscape plans. Any dead, diseased or damaged plants must be replaced with a suitable species to the satisfaction of the Responsible Authority.

Maintenance of Stormwater Treatment Elements

6. All stormwater treatment devices (e.g. rainwater tanks etc.) must be maintained to the satisfaction of the Responsible Authority to ensure water quality discharged from the site complies with the performance standard in the endorsed Sustainability Management Plan.

Requirements For Street Trees Removed

7. Prior to the issue of an Occupancy Permit or issue of a Certificate of Final Inspection, whichever comes first, the owner must pay Council the amenity value, removal, replacement and establishment costs in accordance with the Merri-bek Urban Forest Strategy 2017 for each street tree removed or damaged through the building works, to the satisfaction of the Responsible Authority.

Public Works Plan

8. Prior to the commencement of the development, a Public Works Plan and associated construction drawing specifications detailing the works to the land directly in front of the site on Brunswick Road and Black Street must be submitted to the satisfaction of the Responsible Authority. The Plan must include:
 - a) All construction details in accordance with the *Merri-bek City Council Technical Notes, July 2019* (or any updated version).
 - b) A detailed level and feature survey of the footpaths and roads.
 - c) The public footpath is to be reinstated with the standard crossfall slope of 1 in 33 from the top of the roadside kerb to the property boundary, with any level difference made up within the site using ramps or steps, subject to support from the relevant road authority.
 - d) Floor to be ramped down to match the level of the public footpath that will be reinstated at 1 in 33 from top of roadside kerb for each pedestrian entrance, subject to support from the relevant road authority.
 - e) Any Council or service authority pole or pit within 1 metre of the proposed vehicle crossing, including the 1 metre splays on the crossings, relocated or modified.
 - f) For any vehicle crossing not being used, the kerb, channel and footpath reinstated.
 - g) Any necessary drainage works.
 - h) The relocation or replacement of existing and installation of new street furniture and infrastructure, such as parking and traffic signs, public seating, bicycle parking and similar.
 - i) Removal of street planting along Brunswick Road and replacement planting in appropriate locations in consultation with the Responsible Authority (Open Space Branch) and Transport for Victoria. Tree planting and on-going maintenance is to be undertaken by Merri-bek City Council. The developer will be issued with an invoice for the cost of tree planting.
 - j) Undergrounding of powerlines along Brunswick Road.
 - k) Any other works to the public land adjacent to the development.

When submitted and approved to the satisfaction of the Responsible Authority, the Public Works Plan will be endorsed to form part of the permit. No alterations to the Public Works Plan may occur without the written consent of the Responsible Authority.

Implementation of Public Works Plan

9. Prior to the issue of an Occupancy Permit or issue of a Certificate of Final Inspection, whichever comes first, all public works shown on the endorsed public works plan must be implemented to the satisfaction of the Responsible Authority at the expense of the owner of the land, unless otherwise agreed with prior written consent of the Responsible Authority.

Site Management Plan

10. Prior to the commencement of the use, a Site Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of this permit. The plan must include (but is not limited to):
 - a) Limitation on the maximum number of students occupying the building constructed for student accommodation to 130 persons at any one time;
 - b) Ensure that on site bicycle parking as allocated for student accommodation is exclusively and efficiently used by students residing in the subject premises and shall not be leased, sold or used for any other purposes;
 - c) Supervision of students within the development including measures to limit noisy and anti-social behaviour and address any issues arising;
 - d) Maintenance of the building and surrounds;
 - e) Security of the building and surrounds;
 - f) Limiting use of fire escape stairs for that purpose alone;
 - g) Management of communal spaces and facilities;
 - h) Management of any external communal areas to be set aside for smoking;
 - i) Limiting the use of the external communal open space areas to no later than 10pm on any day;
 - j) Signage to be displayed on the building to provide 24 hour telephone contact numbers for the public to raise complaints; and
 - k) The storage of garbage and recyclables and waste collection, including instructions on hard waste disposal.

The use must operate and be managed in accordance with the conditions and provisions of the approved Site Management Plan to the satisfaction of the Responsible Authority. The plan must be implemented to the satisfaction of the Responsible Authority.

Facade Strategy and Materials and Finishes Schedule

11. Prior to the endorsement of plans, a Facade Strategy and Materials and Finishes Schedule must be submitted to and approved by the Responsible Authority. The Facade Strategy must be generally in accordance with the decision plans referred to in Condition 1 and must include:
 - a) Detailed elevation plans generally at a scale of 1:50 (or as otherwise agreed by the Responsible Authority) illustrating:
 - i. Detailed elevation of the residential entry and other entries to the building as it relates to the public realm interfaces, including doors, openings, services and external finishes and treatments which maximise street activation. The appearance of any services on the facade must be minimised and appropriately concealed and/or treated to integrate with the building architecture.

- ii. Details of the perforated metal screen including pattern and size of perforations, transparency and colour as it is applied across the building facade.
- b) Information about how the facade, including window openings, will be accessed, maintained and cleaned, including the maintenance of any planting (if proposed).
- c) A detailed schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. Materials and finishes must be of a high quality, durable and fit for purpose.

When approved, the endorsed Facade Strategy will form part of the permit and must not be altered without the written consent of the Responsible Authority.

- 12. All materials, finishes and colours employed on external elevations of the development must be in accordance with the approved Facade Strategy, to the satisfaction of the Responsible Authority. The endorsed Facade Strategy must not be altered without the prior written consent of the Responsible Authority.

Removal of Redundant Vehicle Crossings

- 13. Prior to the issue of an Occupancy Permit or issue of a Certificate of Final Inspection, whichever comes first, any existing vehicle crossing not to be used in this use or development must be removed and the kerb and channel, footpath and nature strip reinstated to the satisfaction of the Responsible Authority (Merri-bek City Council, City Infrastructure Department).

Ancillary Road Works

- 14. Prior to the issue of an Occupancy Permit or issue of a Certificate of Final Inspection, whichever comes first, access to the site, any vehicle crossover and any ancillary road and road drainage works must be constructed in accordance with any requirement of the Responsible Authority (Merri-bek City Council, City Infrastructure Department).

Underground Chamber – Access for routine structural inspections

- 15. The existing access within the building to the tramway wheel pit under Black Street and Brunswick Road must be maintained for regular structural inspections by the Department of Transport and Planning.

Bike Parking Security

- 16. Prior to the issue of an Occupancy Permit or issue of a Certificate of Final Inspection, whichever comes first, the bicycle storage room must have self-closing and self-locking doors or gates that are only accessible using keys, codes or swipe cards in accordance with the Australian Standard for Bicycle Parking (AS2890.3).

Lighting

- 17. Lighting over the communal areas (courtyards/terraces) must be designed to not emit light directly onto adjoining property to the satisfaction of the Responsible Authority.

Underground cables

- 18. Prior to the issue of an Occupancy Permit or issue of a Certificate of Final Inspection, whichever comes first, all works, all telecommunications and power connections (where by means of a cable) and associated infrastructure to the land must be underground to the satisfaction of the Responsible Authority.

Sustainable Management Plan

19. Prior to the endorsement of plans, an amended Sustainable Management Plan (SMP) and plans must be submitted to the satisfaction by the Responsible Authority. The SMP must demonstrate a best practice standard of environmentally sustainable design and be generally in accordance with the Sustainability Management Plan prepared by Eco Results, received on 25/03/2025 and modified to include the following changes:
- a) Provide a preliminary NCC Part J facade calculator and/or JV3 assessment, demonstrating compliance to NCC Part J and the BESS Energy compliance criteria.
 - b) An amended WSUD (Water Sensitive Urban Design) catchment plan that is consistent with the STORM report, clearly showing:
 - i. The level 3 terrace planter boxes as impervious catchment area.

Where alternative ESD initiatives are proposed to those specified in this condition, the Responsible Authority may vary the requirements of this condition at its discretion, subject to the development achieving equivalent (or greater) ESD outcomes in association with the development.

When submitted and approved to the satisfaction of the Responsible Authority, the amended SMP and associated notated plans will be endorsed to form part of this permit. No alterations to the SMP may occur without the written consent of the Responsible Authority.

Implementation of Sustainability Design Assessment

20. Prior to the issue of an Occupancy Permit or issue of a Certificate of Final Inspection, whichever comes first, all works must be undertaken in accordance with the endorsed Sustainable Management Plan report to the satisfaction of the Responsible Authority. No alterations to these plans may occur without the written consent of the Responsible Authority.

Monitoring of Sustainability Design Assessment

21. Prior to the issue of an Occupancy Permit or issue of a Certificate of Final Inspection, whichever comes first, a report from the author of the Sustainable Management Plan (SMP) approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm (and include evidence) that all measures specified in the SMP have been implemented in accordance with the approved plan.

Boundary walls

22. Prior to the issue of an Occupancy Permit or issue of a Certificate of Final Inspection, whichever comes first, all boundary walls must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.

Waste Management Plan

23. Prior to the endorsement of plans, an amended Waste Management Plan (WMP) must be submitted to the satisfaction of the Responsible Authority. The WMP be generally in accordance with the Waste Management Plan prepared by Ratio Consultants dated 3 March 2025 and modified to include the following changes:
- a) Resident waste bin room to have a minimum of 3 metres width and 5 metres length.
 - b) Waste collection to be undertaken from Brunswick Road, subject to support from the relevant road authority.
 - c) Clearly state the collection of waste is to be undertaken outside of peak times.

When submitted and approved to the satisfaction of the Responsible Authority, the WMP will be endorsed to form part of this permit. No alterations to the WMP may occur without the written consent of the Responsible Authority.

Compliance with Waste Management Plan

24. The Waste Management Plan approved under this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority unless with the further written approval of the Responsible Authority.

Stormwater

25. All stormwater from the land, where it is not collected in rainwater tanks for re-use, must be collected by an underground pipe drain approved by and to the satisfaction of the Responsible Authority.

Accessibility Report

26. Prior to the endorsement of plans, an Accessibility Report prepared by a suitably qualified person must be submitted to the satisfaction of the Responsible Authority. and must:

- a) Detail how the development will provide housing that can be lived in by people with limited mobility, in accordance with the design features contained in the Liveable Housing Design Guidelines (Liveable Housing Australia, 2017).

When submitted and approved to the satisfaction of the Responsible Authority, the Accessibility Report will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the Responsible Authority. The recommendations of the report must be implemented to the satisfaction of the Responsible Authority prior to the occupation of the development.

Monitoring of Accessibility Report

27. Prior to the occupation of any student unit approved under this permit, a report from the author of the Accessibility Report approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the Accessibility Report have been implemented in accordance with the approved plan.

Environmental Audit Condition

28. Before the construction or carrying out of buildings and works, or where no buildings and works are proposed, prior to the commencement of the permitted use or the issue of a statement of compliance under the Subdivision Act 1988 (whichever is earlier), the owner(s) must provide:
- a) A preliminary risk screen assessment statement in accordance with the Environment Protection Act 2017 stating that an environmental audit is not required for the use or, if this permit authorises the construction or carrying out of buildings or works, is not required for the use for which the buildings or works are constructed or carried out; or,
- b) An environmental audit statement under Part 8.3 of the Environment Protection Act stating that the land is suitable for the use or, if this permit authorises the construction or carrying out of buildings or works, is suitable for the use for which the buildings or works are constructed or carried out; or,
- c) An environmental audit statement under Part 8.3 of the Environment Protection Act 2017 stating that the land is suitable for the use or, if this permit authorises the construction or carrying out of buildings or works, is suitable for the use for which the buildings or works are constructed or carried out, if the recommendations made in the statement are complied with.

29. Where an environmental audit statement is issued for the land, and any recommendation of that environmental audit statement requires any maintenance and/or monitoring of an ongoing nature, the Responsible Authority may require the Owner(s) to enter into an Agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987 that provides for the undertaking of the ongoing maintenance and/or monitoring as required by the environmental audit statement.

Where a Section 173 Agreement is required, the Agreement must be executed prior to the commencement of the permitted use, the issue of an Occupancy Permit or issue of a Certificate of Final Inspection, whichever comes first. All expenses involved in the drafting, negotiating, lodging, registering and execution of the Agreement, including those incurred by the Responsible Authority, must be met by the Owner(s).

30. Prior to any remediation works (if required) being undertaken in association with the environmental audit, a 'remediation works' plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must detail all excavation works as well as any proposed structures such as retaining walls required to facilitate the remediation works. Only those works detailed in the approved remediation works plan are permitted to be carried out prior to the issue of an environmental audit statement.
31. No works to construct the development hereby approved shall be carried out on the land and no building contract to construct the development hereby approved may be entered into, other than in accordance with a building contract that stipulates that works must not be commenced until such time as Conditions 28, 29 and 30 are satisfied.
32. Prior to commencement of the use, the issue of an Occupancy Permit or issue of a Certificate of Final Inspection, whichever comes first, written confirmation of compliance with all the recommendations of the environmental audit statement must be provided by an environmental auditor appointed under the Environment Protection Act 2017, including confirming that any requirements in the environmental audit statement recommendations regarding verification of works have been complied with. All the recommendations of the environmental audit statement must be complied with to the satisfaction of the Responsible Authority.
33. Where a preliminary risk screen assessment has satisfied Condition 28 (that an environmental audit is not required), the development and use must not deviate from the assumptions or limitations contained in the preliminary risk screen assessment, including but not limited to the- layout and design of the development and use of the land without the written consent of the Responsible Authority. The development and use must accord with any requirements and recommendations of the preliminary risk screen assessment to the satisfaction of the Responsible Authority.

3D Model

34. Prior to the commencement of the development, a 3D digital model of the approved development which is compatible for use on Council's Virtual Merri-bek tools and software for Council and community must be submitted to the satisfaction of the Responsible Authority. The model should be prepared in accordance with Merri-bek City Council's 3D model submission guidelines. A copy of the 3D model submission guidelines and further information on the Virtual Merri-bek Project can be found at <https://www.Merri-bek.vic.gov.au/planning-building/3D-Guidelines/>. In the event that substantial modifications to the building envelope are approved under an amendment to this planning permit, a revised 3D digital model must be submitted to, and be to the satisfaction of the Responsible Authority.

Retention of Architect

35. Hayball Architecture must provide architectural oversight of the delivery of the detailed design, as shown in the endorsed plans and endorsed schedule of materials and finishes, during construction unless with the prior written approval of the Responsible Authority.

Stormwater not collected by water tank

36. All stormwater from the land, where it is not collected in rainwater tanks for re-use, must be collected by an underground pipe drain approved by and to the satisfaction of the Responsible Authority (Note: Please contact Merri-bek City Council, City Infrastructure Department).

VicTrack

37. Before the commencement of the development, including bulk excavation, a Construction Management Plan must be submitted and approved by VicTrack. The Construction Management Plan must include details of (but not limited to) management proposals to minimise impacts to VicTrack assets and the operation of the tramway during construction and must set out relevant objectives and performance and monitoring requirements for:
 - a) A comprehensive scope of work including demolition
 - b) Access to the rail environment, including designation of any areas to be used under license during the construction process.
 - c) Approvals and permits required from the Head, TfV, VicTrack and the accredited Rail Operator prior to works commencing and prior to accessing the rail land.
 - d) Rail safety requirements applicable for construction.
 - e) Protection of all rail infrastructure to ensure tram infrastructure is not damaged during demolition or construction.
 - f) Minimising disruption to tram services and tramway commuter and maintenance access.
 - g) Management of drainage, effluent, material stockpiles, fencing, hoardings to ensure VicTrack land is not used for, or impacted on by these activities outside of the licence area.
 - h) Public safety, amenity and site security.
 - i) Operating hours, noise and vibration controls.
 - j) Air and dust management.
38. All demolition and construction works must be carried out in accordance with the approved Construction Management Plan. The Construction Management Plan must be implemented at no cost to the Head, TfV, and VicTrack.
39. During the construction of the development, including demolition and bulk excavation all reasonable steps must be taken to avoid disruptions to tram operations and damage (including interference) to all tram infrastructure. Any damage to tram infrastructure or disruption to the tram operations, arising out of or in connection with the development must be reported and rectified to the satisfaction of the Head TfV, and VicTrack within fourteen (14) days of such damage or disruption occurring or such other time agreed by the Head, TfV, and VicTrack.
40. No entry to transport land is permitted without the written consent of VicTrack.

41. Before the commencement of the development, including demolition or bulk excavation, the Rail Operator must be contacted through the email address: permits@yarratrams.com.au to obtain the Rail Operator's conditions and safety requirements for works on, over or adjacent to the transport land. During and post construction, all conditions and safety requirements of the Rail Operator must be complied with.
42. No drainage, effluent, waste, soil or other materials must enter, be stored or be directed to the railway land.
43. Any temporary or permanent ground anchors, soil nails, reinforced earth straps or other ground stabilising devices, must not penetrate onto transport land or within easements benefitting VicTrack.
44. No excavation, filling or construction on the common boundary between the subject land and the transport land to be carried out except with the prior written approval of the VicTrack and the Head, TfV.
45. If the relocation of tram infrastructure (including without limitation 22kV AC lines and overhead wiring structures) is necessitated by the construction of the development, any works to relocate such infrastructure will be at no cost to VicTrack.

Head, Transport for Victoria

46. The permit holder must ensure that all track, tram and public transport infrastructure is not damaged. Any damage to public transport infrastructure must be rectified to the satisfaction of the Head, Transport for Victoria at the full cost of the permit holder.
47. The level of the footpath must not be lowered or altered in any way without the written consent from Head, Transport for Victoria.
48. Proposed earthworks or alterations to ground levels must not reduce the flood immunity of the neighbouring substation.
49. Any excavation or installing ground anchors must not damage the underground HV incoming cables, outgoing DC feeder cables and earth grid.
50. Any roadworks during construction must not alter Yarra Trams existing access arrangements into the substation building. Existing access routes to VicTrack land must not be closed, diverted, or modified without prior agreement with the Head, Transport for Victoria, VicTrack and the relevant Rail Transport Operator.
51. Landscaping within the subject site, and near the substation building to be reviewed and approved by Head, Transport for Victoria.
52. Landscaping and planting in the 'courtyards' shall not facilitate entry, or illegal access, onto VicTrack land at any time, including at maturity stage of the proposed planted elements.
53. The design of windows, courtyard balconies and doors shall be such that they shall not facilitate entry, or illegal access, onto VicTrack land at any time, including the roof of the adjacent sub-station.
54. Prior to the commencement of buildings and works, the proponent shall conduct a 'cable-proving study' to be conducted jointly with the RTO (Yarra Trams) to verify the route of the traction power cables from the sub-station, along Black Street and into Brunswick Road. The study shall also identify the location of the cable housing tunnels, conduits and underground chambers at the end of Black Street, to determine the risks to these assets from the development construction, and to define agreed protective measures to be included in the approved construction management plan.
55. Prior to the commencement of buildings and works, an Electrical Impact Study to be undertaken to consider any electrical risks to the satisfaction of the Head, Transport for Victoria.

Expiry

56. This permit will expire if one of the following circumstances applies:

- a) the development is not commenced within two (2) years from the date of issue of this permit;
- b) the development is not completed within four (4) years from the date of issue of this permit;
- c) the use is not commenced within four (4) years from the date of issue of this permit.

The Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or:

- within six months after the permit expires to extend the commencement date.
- within 12 months after the permit expires to extend the completion date of the development if the development has lawfully commenced.

Notes: These notes are for information only and do not constitute part of this permit or conditions of this permit.

Note 1: All new buildings **must** be designed with **500mm** wide bicycle spaces, as required by the Australian Standard AS2890.3. Narrower spacing will **not** be accepted. Clauses 2.2.5, 2.2.6 and 2.2.7 of the Standard requires 500mm wide spaces for vertical, horizontal and multi-tiered parking, respectively. Clause 3.3 only refers to dynamic parking devices, designed to be offset horizontally or vertically to create the 500mm spacing as each bicycle is being parked.

Note 2: Should Council impose car parking restrictions in this street, the owners and/or occupiers of the land would generally not be eligible for residential or visitor parking permits to allow for on street parking. See Council's website for more information:

<https://www.Merri-bek.vic.gov.au/living-in-Merri-bek/parking-and-roads/parking-permits-and-fines/residential-parking-permits/>

Note 3: This permit does not authorise the removal of damage to or pruning of any street tree. Further written consent must be obtained from Council's Open Space Unit. The Open Space Unit can be contacted on 8311 4300.

Note 4: Unless no permit is required under the Merri-bek Planning Scheme, no sign must be constructed or displayed on the land without a further planning permit.

Note 5: Further approvals are required from Council's City Infrastructure Department who can be contacted on 9240 1143 for any works beyond the boundaries of the property. Planting and other vegetative works proposed on road reserves can be discussed with Council's Open Space Unit on 8311 4300.

Note 6: This site is included on the Victorian Heritage Register under the Heritage Act 1995. A separate permit from Heritage Victoria may be required. For further information please contact Heritage Victoria on Tel: 8644 8800.

Note 7: Prior to commencement of the development hereby approved, a Construction Management Plan must be submitted to, and approved, in accordance with Merri-bek City Council's General Local Law.

Note 8: A copy of the Environmental Audit Statement, including the Environmental Audit Report, must be submitted to the responsible authority within 5 business days of issue, as set out in s 210 of the Environment Protection Act 2017.

Note 9: The person in management or control of the site must also provide a copy of any statement to any person who proposes to become the person in management or control of the site, such as a potential occupier or potential purchaser.

Note 10: The land owner and all its successors in title or transferees must, upon release for private sale of any part of the land, include in the Vendor's Statement pursuant to Section 32 of the Sale of Land Act 1962, a copy of the Environmental Statement including a copy of any cover letter.

Head, Transport for Victoria

Note 11: Foreseen disruptions to tram operations and mitigation measures must be communicated to Head, Transport for Victoria 35 days prior by telephoning 1800 800007 or emailing customerservice@transport.vic.gov.au

Note 12: The proposed development requires works within the footpath. Separate approval under the Road Management Act 2004 for this activity may be required from the Head, Transport for Victoria. Please contact the Department of Transport and Planning prior to commencing any works. Please go to the Working within the road reserve – Transport Victoria web site for further information: <https://transport.vic.gov.au/business/road-and-traffic-management/road-permits-and-charges/working-within-the-road-reserve>

Recommendation B:

Pursuant to Clause 52.06-6 (car parking) of the Merri-bek Planning Scheme, the zero on site car parking spaces for student accommodation at 253-259 Brunswick Road, Brunswick is to the satisfaction of the Responsible Authority.

1. Background

Subject site

The site is located on the north-west corner of Brunswick Road and Black Street in Brunswick. The site has an irregular L-shape with a frontage to Brunswick Road of 50.55m and Black Street of 14.82m, and a maximum depth of 29.1m. The land is generally flat and has a total site area of 1,010.8sqm.

The site is the former Cable Tram Engine House and Tram Substation, a significant-graded building listed on the Victorian Heritage Register. The building is currently vacant and was previously used as a tyre and mechanical service centre. The single storey brick building has a low hipped roof which has been painted externally. There are no restrictive covenants indicated on the Certificate of Title.

Surrounds

To the immediate north is the Former Cable Tram substation. To the east is Black Street and a 6 storey development which has retained the historic Sarah Sands Hotel. To the south is Brunswick Road and lower scale residential properties within the Neighbourhood Residential Zone. To the west is a single storey warehouse, which is part of the Former Cable Tram Engine House.

The surrounding area features a mixed character of residential, light industrial, warehouse conversions and commercial uses. The built form is generally of a lower scale featuring single and double storey dwellings and industrial buildings, except to the east on Black Street. Black Street is a local road with limited active frontages with 5 and 6 storey apartment buildings opposite the site. There is also an emerging character of mid-rise apartment buildings further to the north of the site. The Upfield shared path and the rail corridor is located further to the west. The site is close to a range of public transport options, and nearby educational facilities.

A location plan forms **Attachment 1**.

Planning Permit and site history

Heritage Permit No. P39543 was issued on 15 August 2025 by Heritage Victoria for the partial demolition of the Cable Tram Engine House (north-west bays), construction of a seven-level building, and associated program of archaeology, conservation, repair, adaptation and interpretation works to the Cable Tram Engine House.

The proposal

The proposal is summarised as follows:

- Construction of a six (6) storey building with a maximum height of 22.7m.
- 114sqm food and drink premises (Cafe) at ground floor.
- 111 student accommodation rooms (99 x 1 bed, 2 x Disability Discrimination Act (DDA) compliant and 10 x 2 bed).
- No car parking on site.
- Provision of 74 bicycle parking spaces.
- Internal communal areas of 793sqm, including lounge, dining, laundry, library, games room and gymnasium.
- Outdoor communal open space areas of 269sqm, on ground floor and Level 3.

The development plans form **Attachment 2**.

Statutory Controls – why is a planning permit required?

Control	Permit Requirement
Commercial 1 Zone	A permit is required to use the land as student accommodation, as the ground floor entry exceeds 2m. No permit required to use the land for a Food and drink premises A permit is required for development
Heritage Overlay	No permit is required to develop a Heritage Place which is included in the Victorian Heritage Register.
Design and Development Overlay	A permit is required to construct a building or construct or carry out works.
Car Parking	A permit is required to reduce the number of car parking spaces required for the food and drink premises. Car parking for the student accommodation must be to the satisfaction of Council.

The following Particular Provisions of the Merri-bek Planning Scheme do not trigger a requirement for a planning permit but are relevant to the consideration of the proposal:

- Clause 45.03: Environmental Audit Overlay. The recommendation includes conditions to manage any potential contamination from the current industrial land use.
- Clause 45.06: Development Contributions Plan Overlay. The Development Contributions Plan has expired and is therefore not relevant to applications determined on or after 1 July 2023.
- Clause 45.09: Parking Overlay. The Parking Overlay means that the reduced 'Column B' car parking rates in the table to Clause 52.06 apply.
- Clause 52.34: Bicycle Parking.
- Clause 53.18: Stormwater Management in Urban Development.

2. Internal/External Consultation

Public notification

Notification of the application has been undertaken pursuant to Section 52 of the *Planning and Environment Act 1987* by:

- Sending notices to the owners and occupiers of adjoining and nearby land, including to the west of the site along Brunswick Road and Barkly Street.
- Placing 2 signs on the Brunswick Road and Black Street frontages.

Council has received 22 objections, including 1 petition with 38 signatories to date and a conditional approval from VicTrack who is not a statutory authority. A map identifying the location of objectors forms **Attachment 3**.

The key issues raised in objections are:

- Overall building bulk and scale
- Car parking reduction and traffic impacts
- Loading and waste collection
- Internal amenity

A Planning Information and Discussion (PID) meeting was held on 1 July 2025 and attended by Councillors Iwasaki and Irvin, two Council Planning Officers, the applicant and 8 objectors. The PID meeting provided an opportunity to explain the application, for the objectors to elaborate on their concerns, and for the applicant to respond.

Following the discussions at the PID meeting, the applicant has agreed to additional conditions in order to address some of the concerns raised by objectors. The following commitments have formed conditions on the recommendation:

- Waste collection to be undertaken from Brunswick Road, subject to support from the relevant road authority.
- Collection of waste outside of peak times.
- Provision of an operational management plan restricting hours of use for the outdoor common areas.

The applicant was agreeable to the submission of a construction management plan which is a requirement under Council's General Local Law. The recommendation includes a note, that requires that the submission and approval of the construction management plan under the Council's General Local Law.

Internal/external referrals

The proposal was referred to the following external agencies or internal branches/business units:

External Agency	Objection/No objection
Transport for Victoria	No objection subject to conditions included in the recommendation. It is noted that the response included an objection and recommended conditions from VicTrack, who were notified as an adjacent property owner of the substation.

Internal Branch/Business Unit	Comments
Urban Design Unit	Supports the proposal, subject to a reduction in street wall height to protect solar access to the Brunswick Road southern pedestrian footpath, and improvements to privacy and communal space. Recommended changes are addressed by conditions of the recommendation and/or are considered further in Section 4 of this report.
Engineering Services - Development Engineering	Supports the proposal. Changes are addressed by conditions of the recommendation and/or are considered further in Section 4 of this report.
Sustainable Built Environment - ESD Team	Supports the proposal, subject to conditions requiring an energy efficiency report for the building under the National Construction Code (NCC), and an amended water catchment plan. Changes are addressed by conditions of the recommendation.
Open Space Design and Development Unit	Supports the proposal, subject to conditions requiring new street tree planting, deeper planters for trees, greening of the rooftop and walls, and reinstatement of public footpaths on Brunswick Road. Recommended changes are addressed by conditions of the recommendation and/or are considered further in Section 4 of this report.

3. Policy Implications

Planning Policy Framework (PPF):

The following policies are of most relevance to this application:

- Municipal Planning Strategy (Clause 2), including:
 - Vision (Clause 2.02)
 - Settlement (Clause 2.03-1)
 - Built Environment and Heritage (Clause 2.03-4)
 - Housing (Clause 2.03-5)
 - Economic Development (Clause 2.03-6)
 - Transport (Clause 2.03-7)
- Settlement (Clause 11)
 - Activity Centres (Clause 11.03-1S and 11.03-1R)
- Environmental Risks and Amenity (Clause 13):
 - Contaminated and Potentially Contaminated Land (Clause 13.04-1S)
 - Noise Abatement (Clause 13.05-1S and 13.05-1L)
- Built Environment (Clause 15.01), including:
 - Urban Design (Clause 15.01-1S, 15.01-1R and 15.01-1L)
 - Building Design (Clause 15.01-2S and 15.01-2L)
 - Healthy Neighbourhoods (Clause 15.01-4S and 15.01-4R)
 - Environmentally Sustainable Development (Clause 15.01-2L-05)
 - Energy efficiency in Merri-bek (Clause 15.01-2L-04)
- Residential Development (Clause 16.01), including:
 - Housing Supply (Clause 16.01-1S and 16.01-1R)
 - Homes in Merri-bek (Clause 16.01-2L)
 - Student Accommodation (Clause 16.01-1L)
 - Housing for People with Limited Mobility (Clause 16.01-1L)
 - Housing Affordability (Clause 16.01-2S and 16.01-2L)
- Economic Development (Clause 17), including:
 - Diversified economy (Clause 17.01-1S and 17.01-1R)
 - Employment Areas (Clause 17.01-1L)
 - Business (Clause 17.02-1S)
- Transport (Clause 18), including:
 - Sustainable Personal Transport (Clause 18.02-1S and 18.08-1R)
 - Sustainable Transport in Merri-bek (Clause 18.02-1L)
 - Car parking (Clause 18.02-4S and 18.02-4L)

Human Rights Consideration

This application has been processed in accordance with the requirements of the *Planning and Environment Act 1987* (including the Merri-bek Planning Scheme) reviewed by the State Government and which complies with the *Victorian Charter of Human Rights and Responsibilities Act 2006, including Section 18 (Taking part in public life)*. In addition, the assessment of the application has had particular regard to:

- Section 12: Freedom of movement
- Section 13: Privacy and Reputation
- Section 20: Property rights

An assessment of whether there is any potential for unreasonable overlooking has been undertaken in section 4 of this report. The proposed redevelopment of private land does not present any physical barrier preventing freedom of movement. The right of the landowner to develop and use their land has been considered in accordance with the Merri-bek Planning Scheme.

4. Issues

In considering this application, regard has been given to the Planning Policy Framework (PPF), the provisions of the Merri-bek Planning Scheme, objections received and the merits of the application.

Does the proposal have strategic policy support?

Both State and local planning policies support increased densities in locations that can take advantage of excellent access to public transport and other services within Activity Centres.

The site is well-suited for student accommodation, meeting Council's Student Housing Policy locational criteria. It is within 450m of RMIT Brunswick, 800m of Monash Parkville, and 1km of Lisa Bellar House (University of Melbourne, Ridley College). Jewell Station is 180m away, and the site sits within the Brunswick Activity Centre. While bus routes run east-west and do not directly serve a tertiary facility, all other locational requirements are satisfied.

Does the proposal respond to the preferred future built form of the area?

Design and Development Overlay Schedule 18 (DDO18) outlines the preferred built form outcomes and objectives that are to be achieved for properties within the Brunswick Activity Centre – Sydney Road and Upfield Corridor.

Building Height

The proposal has a maximum building height of 22.7m (excluding roof top services), which is less than the preferred DDO18 maximum building height of 25m for the site.

Street Wall

Brunswick Road

DDO18 requires a street wall height of 20m on Brunswick Road. The proposal has a street wall of 22.7m and a variation of 2.7 metres.

Design objectives of DDO18 seek to establish a mid-rise built form character, create a consistent street wall, set back upper levels and protect the amenity of key streets / public parks. Specifically, it states that development should not overshadow the opposite footpath of Brunswick Road between 10am and 2pm at the equinox.

An implication of the increased street wall height is that the proposal will generate overshadowing impacts to the southern side of the pedestrian footpath along Brunswick Road. At 10am, the footpath is completely overshadowed by the development, and at 11am most of the pedestrian footpath is overshadowed. This overshadowing will negatively impact the pedestrian experience along this key pedestrian street, as designated in DDO18. If the street wall height on Brunswick Road were reduced to 20m and upper levels set back in accordance with DDO18, overshadowing on the opposite side of the footpath would not occur.

Council's Urban Design Unit has recommended that the applicant explore opportunities to reduce the impact of shadowing from the top floor noting that there could be different ways to achieve this. As such, a condition has been included in the recommendation to reduce shadowing by requiring a lower street wall to Brunswick Road in combination with upper level setback for the top level.

Black Street

DDO18 requires a street wall height of 10.1m on Black Street. The proposal has a street wall of 22.5m and seeks a variation of 12.5m.

Design objectives of DDO18 seek to achieve a cohesive built form character in this off-corridor location that reinforces the existing character of street walls.

Black Street is a local road connecting Brunswick Road to Wilson Avenue. DDO18 does not apply street wall controls to most of this street due to its side street function. Accordingly, there is no cohesive street wall appearance sought for Black Street. Recent developments on the opposite side of Black Street have provided a mix of different street wall heights in response to the function of Black Street as a secondary frontage for most sites. This has helped form a character of higher street walls. The proposed non-compliant street wall to Black Street is supported because:

- The site has only a 14m frontage to Black Street.
- The adjoining heritage-listed substation is unlikely to change.
- The design reinforces the corner form.
- The streetscape is already varied in height and form

Upper levels setback and Street Height to Width Ratio

DDO18 states that any part of a building above the street wall height should be setback at least 5m from the street boundary. In addition to the minimum 5m setback, upper levels should achieve a setback that does not encroach upon a 45 degree line taken from the opposite street boundary. This is often referred to as the '1:1 ratio' and is set out in Figure 1 of DDO18 (shown as a red line in Figure 1 below).

Design objectives of DDO18 seeks to achieve a cohesive built form character with an appropriate balance between a sense of enclosure and openness.

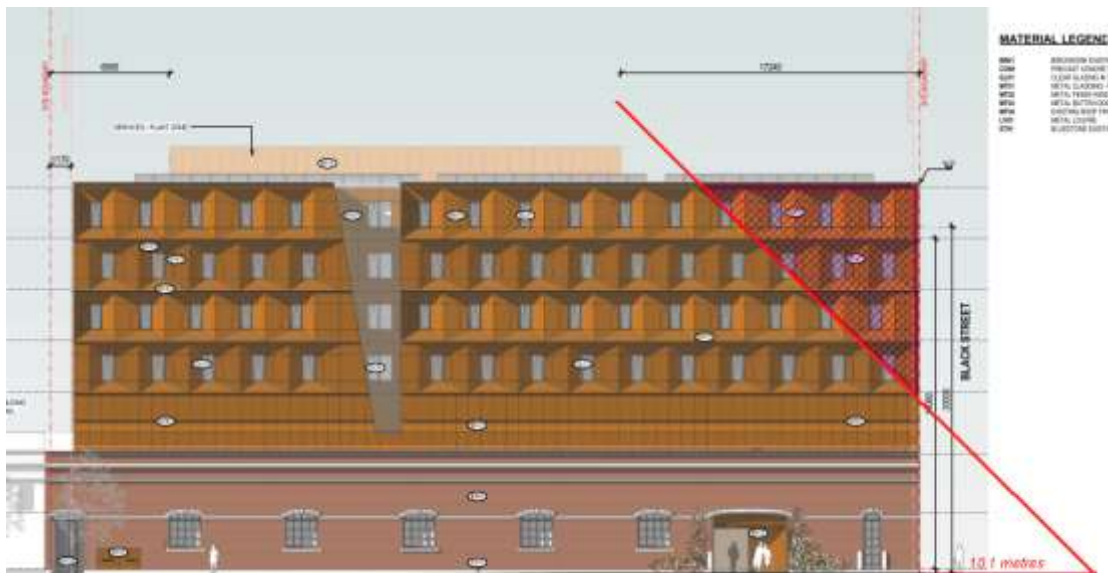


Figure 1 –The 1:1 ratio for upper level setbacks on Black Street, non-compliance hatched

The absence of an upper level setback to a lower street wall to Black Street and the departure from the 1:1 street width also increase the built form fronting Brunswick Road and as a result the extent of overshadowing of the southern footpath, making it more important that conditions requiring the upper level setback of the Brunswick Road facade are met to address this overshadowing impact.

The street wall height and 1:1 ratio setback variations to Black Street are considered acceptable given:

- The upper levels are wrapped in a visually permeable metal cladding, which reduces the visual dominance.
- The design response is a tailored response to the individually listed heritage building of State significance which is considered to warrant some departure from the preferred built form character.

Does the proposal result in any unreasonable off-site amenity impacts?

Built form and separation

A number of objectors residing within the Sarah Sands mixed use building at 2 Black Street have raised concerns in relation to visual impacts generated by the scale, massing and height of the development.

An assessment has been undertaken against the Apartment Developments in Merri-bek Policy at Clause 15.01-2L. The application of this policy as a guideline to the development provides a useful assessment of whether the proposed building provides adequate separation from its nearest sensitive residential interface at 2 Black Street. This assessment is particularly important in reaching a balanced planning decision given the higher street wall and lack of upper level setback proposed to Black Street.

While the buildings are separated by a public road an assessment against the building separation requirements of the policy revealed that the proposed development would achieve the separation distances from all relevant bedroom windows in the existing building at 2 Black Street. This ensures that acceptable outlook from the existing neighbouring dwellings is still being achieved. Table 3 below summarises this assessment.

Requirement in Table 3			Proposed development
	Bedroom outlook to bedroom outlook	Bedroom outlook to living room or main balcony outlook	
Up to 4 storeys and 12m	6m	9m	Ground to Level 2: - 10.1m Level 3: 12.6m
5-8 storeys or up to 25m	9m	13.5m	Level 4 to Level 6: - 12.6m

All the apartment dwellings directly opposite the site at 2 Black Street (at Apartments 3.03, 4.03, 5.03 and 6.03) have south-facing living areas and balconies which do not look onto the site.

There are no other sensitive residential interfaces to the west or north that need to be considered as part of this assessment. This demonstrates that the proposed building setbacks and separation are adequate and can be supported within the site's context.

Does the proposal provide appropriate onsite amenity and facilities?

Clause 16.01-1L (Student Housing)

The proposal achieves high compliance with the internal amenity and design requirements of the Student Housing policy. The key standards of the policy have been met:

- Each room is provided with space for private cooking facilities, a bed, a study desk, computer and TV, dining table and personal storage.
- Each room is provided with access to an external window.
- There is no internal or unreasonable external overlooking, due to sufficient separation distances to other buildings.

Communal Open Space

The development provides for several internal and external communal areas to provide for recreational areas for residents. These include things such as communal lounge, laundry, games room and outdoor court yards.

All communal courtyards are clear to the sky and will receive natural light. The secondary courtyard on Level 3 functions as the sole light well to DDA rooms to the east of the site and, with reference to the Apartment Developments policy at Clause 15.01-2L, exceeds minimum dimensions for bedrooms reliant on the light well for daylight.

Council's urban designer has recommended that additional nooks for seating or bench spaces be provided on levels 3+ of the building. This could be accommodated opposite the lift and stair core or balconies. A condition of the recommendation requires additional seating areas to be included on Levels 4, 5 and 6.

Does the proposal provide for an appropriate landscaping outcome?

Council's Open Space Unit have requested that trees be planted within deep soil and further green infrastructure including vertical planting (i.e. Climbing plants or facade planters) and rooftop greening. 10 trees are proposed in raised garden beds within the external courtyard areas as well as other soft landscaping treatments. As the ability for any deep soil planting is constrained by the likely presence of archaeological artefacts under the surface of the site, this is considered acceptable. Recommendations to include further green infrastructure for the development address sustainability and urban cooling objectives.

Has adequate car and bicycle parking been provided?

No on-site car parking is provided for the development. The planning scheme does not set a car parking rate for student accommodation, which needs to be provided to the satisfaction of Council. 3 spaces are required for the cafe which the proposal seeks to reduce to zero.

Council's car parking policy (Clause 18.02.4L), supports reduced car parking rates, in activity centres, near public transport and when extra bicycle parking is provided. In respect to this policy guidance, it is noted:

- The site is well located in respect to alternative transport modes, such as Jewell Railway Station (180m) and the Upfield Shared Path.
- With conditions, the proposal includes a minimum of 1 bicycle per bedroom or 121 in total.
- The site is within the Brunswick Activity Centre.

Clause 16.01-1L (Student Housing) further recognises the reduced car ownership pattern of students where student housing is located close to good quality public transport. It encourages providing a sufficient number of bicycle parking spaces in every development that will meet the needs of the students based on the total number of students/bedrooms.

Council's Development Engineers supports no car parking for both the student accommodation and the 114m² cafe. In addition to increasing bike parking spaces, Council's Development Engineer, considered that the high demand for on street parking combined with car parking restrictions as a factor that would discourage students owning a car.

Part B, of the recommendation is that that non-provision of car parking for the student accommodation is to Council satisfaction.

Are adequate loading/unloading facilities provided?

The capacity to provide an on-site loading bay is restricted due to the heritage significance of the existing building. Council's Development Engineers have reviewed the proposal and have determined that loading can appropriately occur on street utilising either the on-street car parking bays outside the site which are mostly time restricted (i.e. 1P or 2P), or the Taxi zone which only applies from "*Midnight to 4am Saturday to Sunday*" along the substantive part of the frontage on Brunswick Road. On street loading is commonplace in Brunswick, and the applicant has advised that all rooms will be fully furnished. It is not considered necessary to require an on-site loading bay to accommodate residents moving into and out of the building.

What impact does the proposal have on car congestion and traffic in the local area?

Council's Development Engineers have assessed the proposal and consider that the proposed development will result in less vehicle movements per day as compared to its existing use as a tyre and servicing centre. This remains within the design capacity of the local road network and is not expected to cause traffic problems.

Concerns have been raised as to the use of Black Street for waste collection, as well as likely food deliveries and other pick up and drop off activity by cars, which will impede emergency access.

The collection of waste by a private contractor will utilise an 8.8m long waste vehicle along Black Street. While Black Street is a narrow street with a pavement width of only 6.8m wide, it is acceptable practice to utilise side streets in preference of major arterial roads like Brunswick Road for waste collection. Council's Development Engineers note the restriction of right turns from Brunswick Road to Black Street will also assist in reducing the risk of obstruction to the waste vehicle. Following the PID meeting on 1 July 2025, the applicant has agreed to several initiatives to minimise impacts on residents:

- To undertake waste collection from Brunswick Road, subject to support from the relevant road authority;
- The collection of waste outside of peak times; and
- Nomination of location and frequency of hard waste collection.

These are secured by recommended conditions on permit which are supported by Council's Development Engineer, subject to consent from the relevant road authority.

Does the proposal incorporate adequate Environmental Sustainable Design (ESD) features?

ESD features of the development are considered to be adequate and include:

- Improved energy efficiency through the use of energy efficient windows, shading and ventilation systems for good airflow;
- 64 per cent BESS Score;
- 130 per cent STORM Rating;
- 30kw Solar PV system;
- 15,000 litre rainwater collection and reuse system, connected to toilets on Ground floor to Level 3;
- Reuse or recycle at least 70 per cent of demolition and/or construction waste; and
- Bike repair and communal laundry facilities.

5. Response to Objector Concerns

The following issues raised by objectors are addressed in section 4 of this report:

- Overall building bulk and scale
- Car parking reduction and traffic impacts
- Loading/unloading
- Waste collection
- Internal amenity

Other issues raised by objectors are addressed below.

Heritage

The Former Cable Tram Engine House is on the Victorian Heritage Register, meaning Heritage Victoria is the agency for considering heritage. This means Council cannot include heritage as part of the planning assessment.

Concerns have also been raised that no heritage permit has been issued for the development. Heritage Permit No. P39543 was issued on 15 August 2025 by Heritage Victoria. This was advertised to the public for 14 days commencing on 14 May 2025.

Overdevelopment

An overdevelopment is determined from a quantitative assessment of compliance with the criteria set out in the Merri-bek Planning Scheme. The assessment in section 4 of this report has confirmed that subject to permit conditions, the building height, setbacks, provision of open space and off-site amenity impacts generated are acceptable when considered against the requirements of the planning scheme and therefore the proposal is not considered to be an overdevelopment of the site.

Demand for student housing

The Victorian planning system does not enable Council to determine a planning permit application based on an assessment of demand. Whether or not a demand exists is not a relevant consideration on which Council can base a decision to either approve or refuse an application.

Overshadowing

While overshadowing of neighbouring apartments is not a relevant planning consideration within and Activity Centre location the proposed development does not result in any overshadowing of neighbouring dwellings between 9:00am and 2:00pm on 22 September (equinox). This includes all properties located on the southern side of Brunswick Road. Between 2:00pm and 3:00pm, some limited overshadowing occurs, affecting a number of east-facing bedroom windows and ensuites within apartments on Levels 1 to 3 at 2 Black Street, directly opposite the site. As shown in Figure 2, the extent of overshadowing is minimal and considered reasonable within the context of a Major Activity Centre. The proposal does not result in any overshadowing of existing solar panels, including those at 2 Black Street.

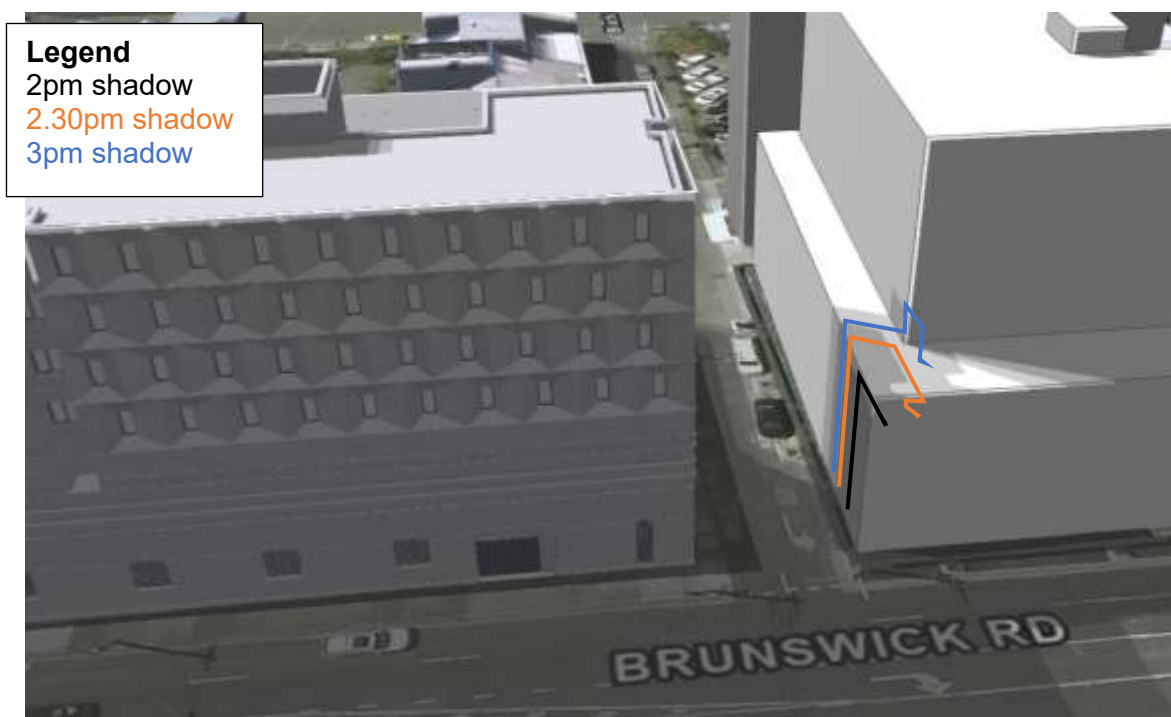


Figure 2 – Shadow cast by proposed built form between 2pm and 3pm on 22 September (Source: Virtual Merri-bek)

Overlooking

The proposal for student accommodation is not subject to a quantitative assessment against overlooking within the Merri-bek Planning Scheme.

Regardless, a minimum separation of 10.1m is established from nearest habitable room windows at 2 Black Street, and 20m to properties on Barkly Street. This would exceed any overlooking requirements that would otherwise apply to residential developments of two or more dwellings on a lot.

Operation and Management

A Site Management Plan that responds to how the development will be managed, used and operated will be required as a condition in the recommendation. This will ensure communal facilities will be well managed and avoid any unreasonable adverse impact on surrounding properties. The permit applicant has also agreed to a requirement limiting use of outdoor courtyards to no later than 10pm every day.

Loss of views

While the Victorian Civil and Administrative Tribunal has recognised that views can be a relevant amenity consideration, it has also held that there is no right to a view and that the weight to be given to the amenity impact of loss of views is diminished where no planning control applies encouraging retention or sharing of views. There is no specific policy or provision regarding views within the Merri-bek Planning Scheme.

Construction issues

The Environment Protection Authority (EPA) provide guidelines and regulations that specify times for construction, to limit noise impacts. Noise and amenity impacts during the construction process are also regulated through Council's General Local Law, 2018, including the requirement for a Construction Management Plan.

Concern has been raised in relation to potential closure of roads and footpaths during construction, particularly on Black Street. Closure or occupation of public spaces requires a Public Occupation Permit under Council's General Local Law 2018. Council's Environmental and Civic Assets Local Law 2018 requires an Asset Protection Permit to be obtained to ensure infrastructure assets within the road reserve are protected or repaired if damaged.

A range of other approvals are required from Council's transport, engineering and asset protection teams related to construction impacts on public space. Consideration of such closure and public notice, as required, is undertaken through these processes.

The Head, Transport for Victoria and VicTrack have provided additional requirements during the construction stage, having regard to the site's proximity to underground tram cables within the area and adjacent substation. These include a cable-proving study and Construction Management Plan, which have formed conditions on the recommendation.

6. Officer Declaration of Conflict of Interest

Council Officers involved in the preparation of this report do not have a conflict of interest in this matter.

7. Financial and Resources Implications

There are no financial or resource implications.

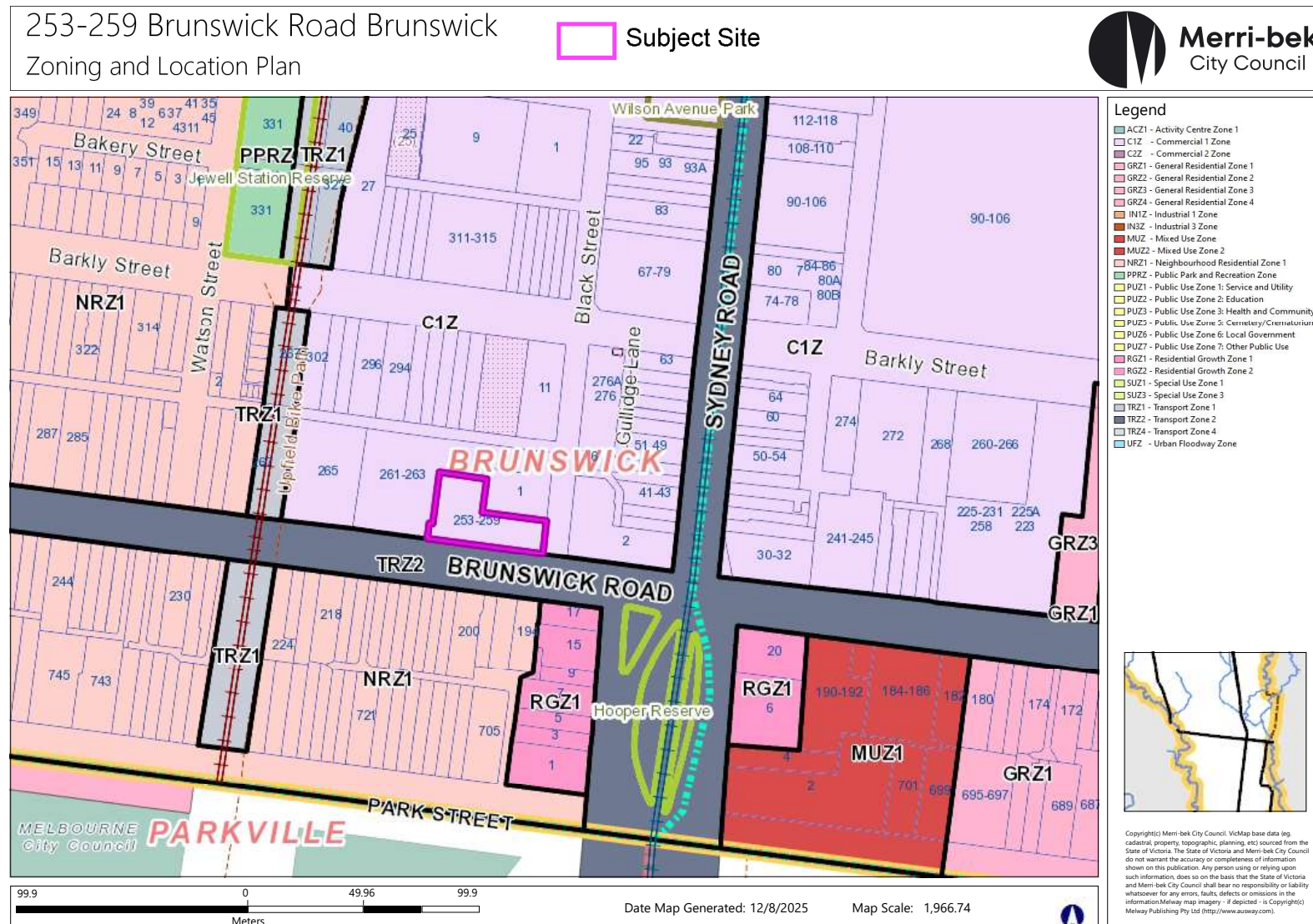
8. Conclusion

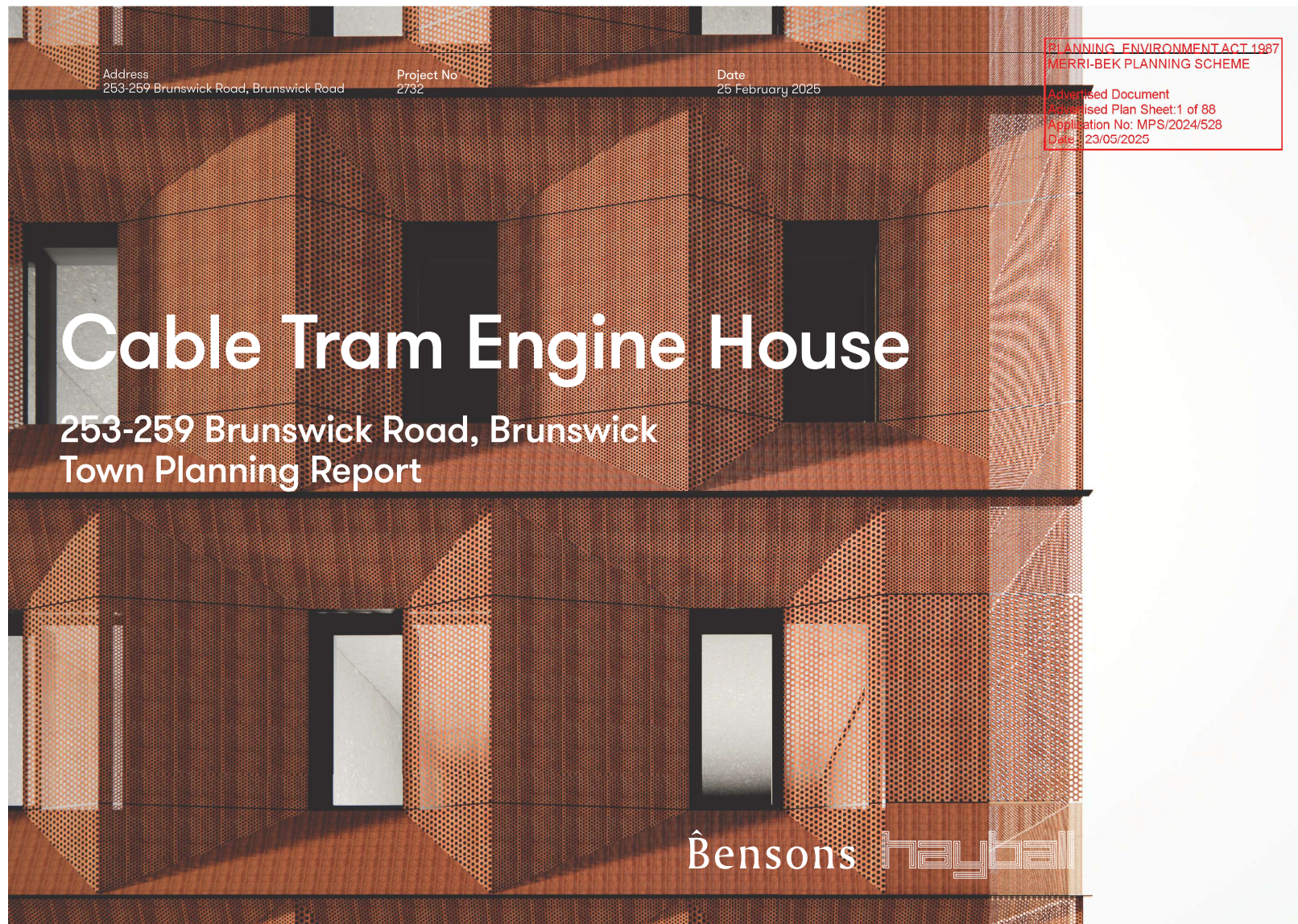
The proposal will add to diversity of housing, through the provision of purpose built student accommodation. The adaptive reuse of a heritage building listed on the Victorian Heritage Register is welcomed and improves the current condition of the heritage building. The development provides for a thoughtful and well resolved high quality architectural outcome that is within the overall height guidance and meets the broader strategic aspirations for development in a major activity centre. It provides for reasonable internal amenity outcomes for future occupants and will not have unreasonable impacts on the amenity of the surrounding area, subject to conditions to limit overshadowing of the footpath.

On the balance of policies and controls within the Merri-bek Planning Scheme and objections received, it is recommended that a Notice of Decision to Grant a Planning Permit MPS/2024/528 should be issued subject to the conditions included in the recommendation of this report and that Council resolve the provision of no onsite parking is satisfactory for the reasons set out in the report.

Attachment/s

- | | | | |
|---|-------------------|--------------------------|------------|
| 1 | ↓ | Zoning and Location Plan | D25/386221 |
| 2 | ↓ | Architectural Plans | D25/386242 |
| 3 | ↓ | Objector Location Plan | D25/386208 |





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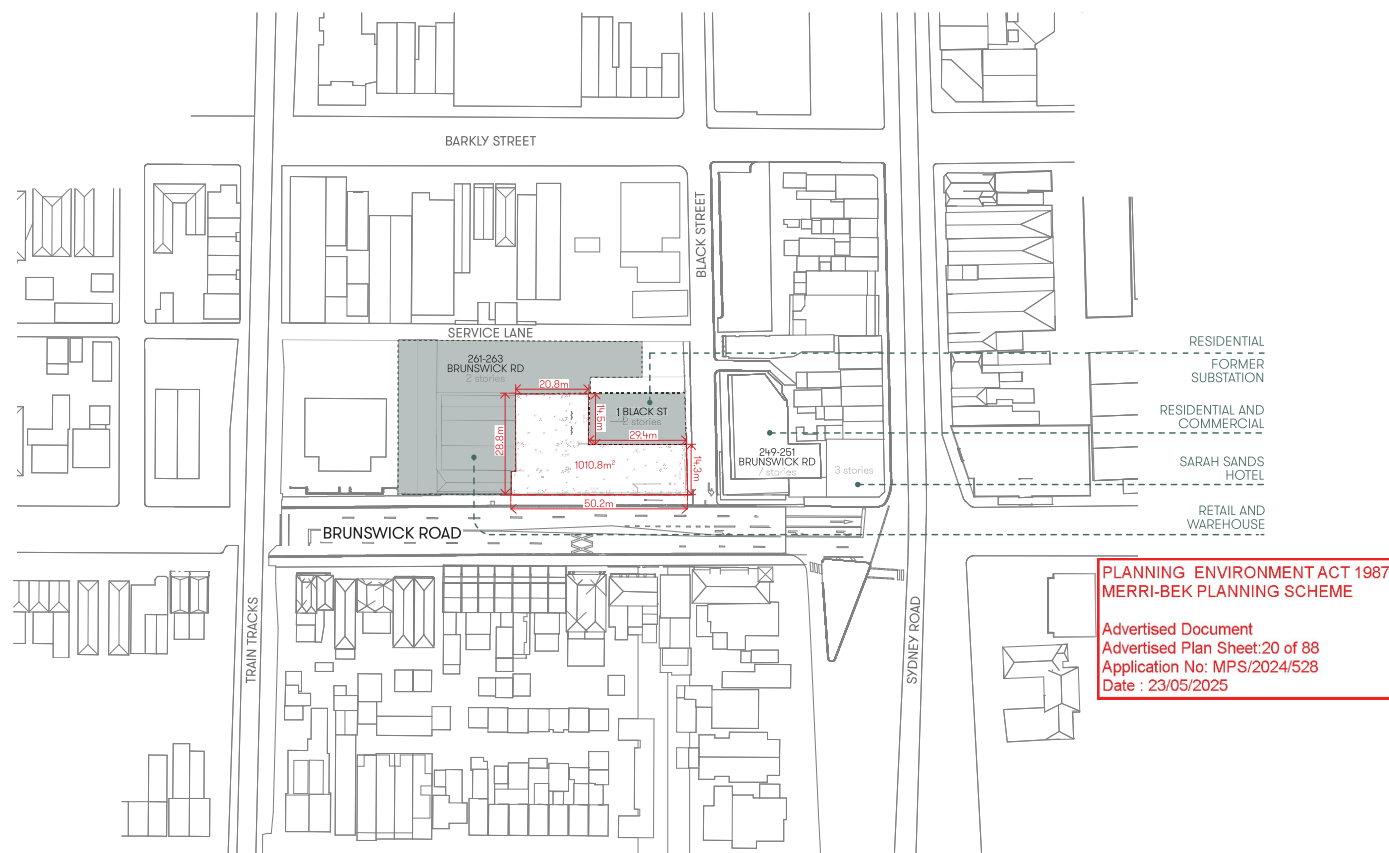
04

Existing Plans & Proposed Demolition Works

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04 Existing Plans and Proposed Demolition Works

01 Site Plan



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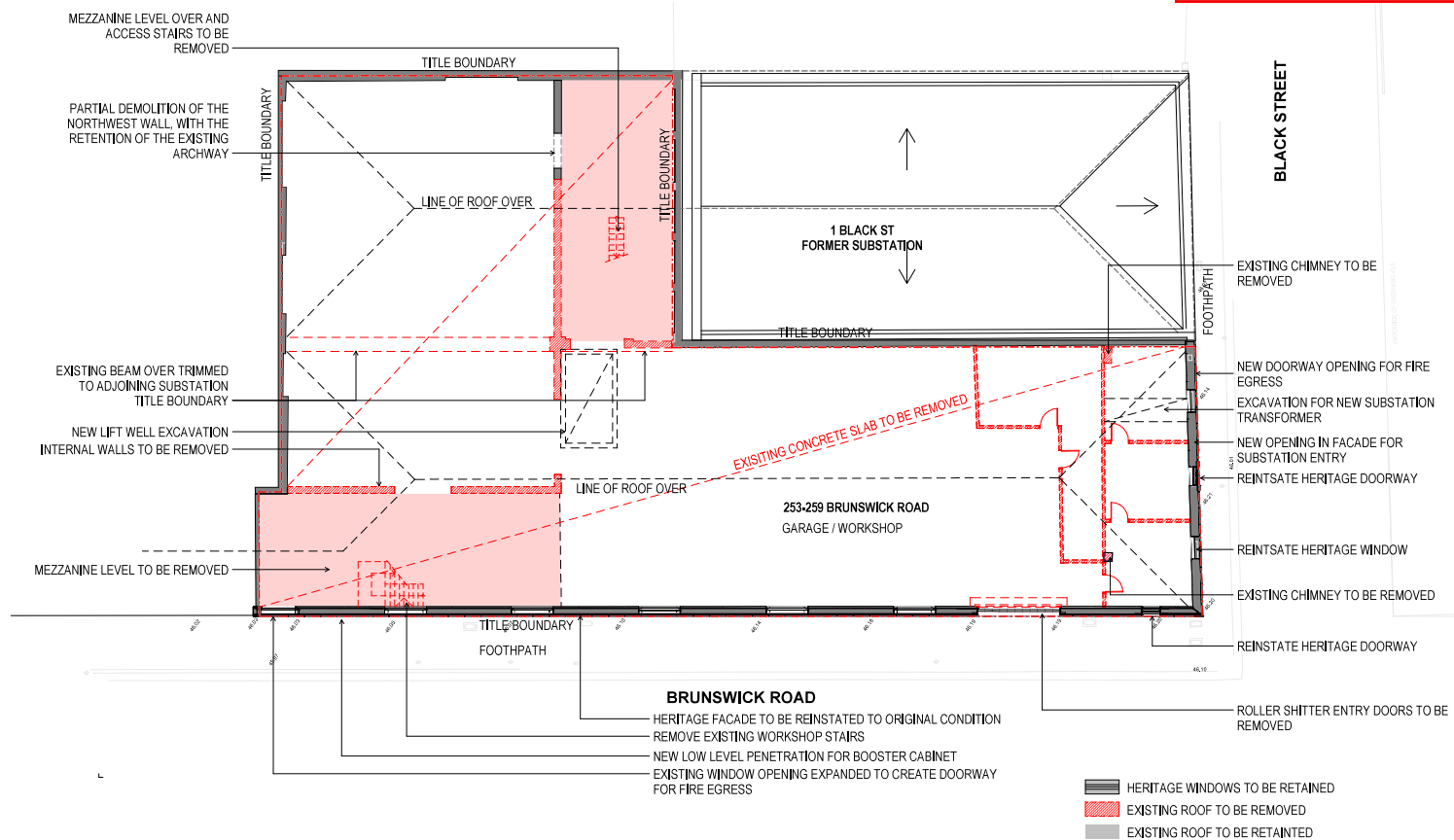
Hayball 20

04 Existing Plans and Proposed Demolition Works

03 Demolition Plan

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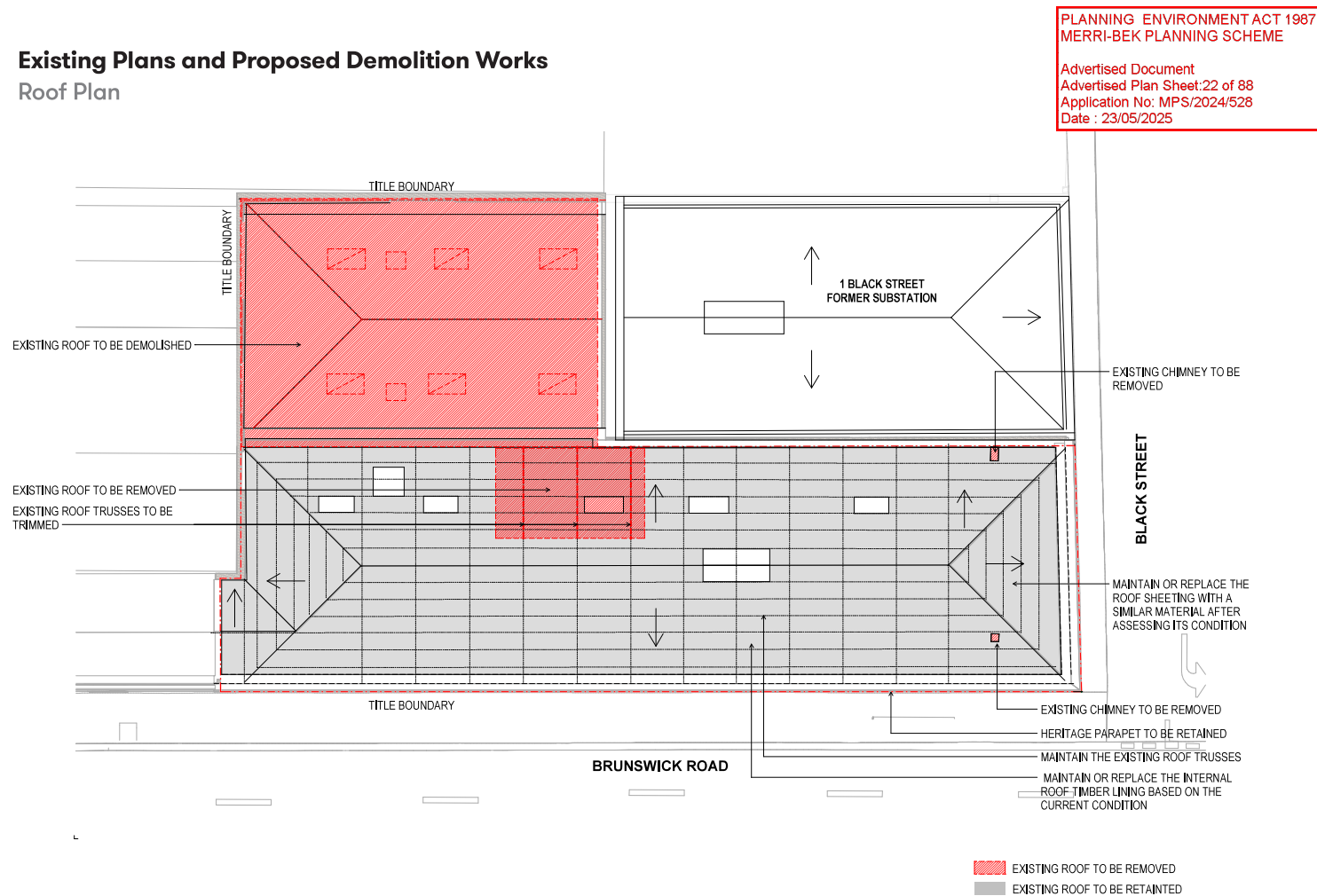


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04 Existing Plans and Proposed Demolition Works**04 Roof Plan**

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05

Proposed Development Envelope

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05 Proposed Development Outcome

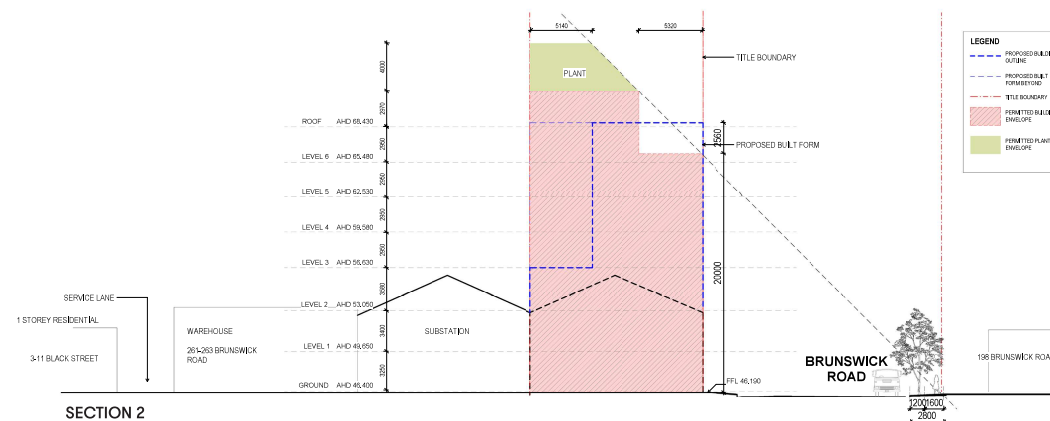
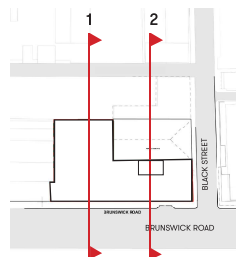
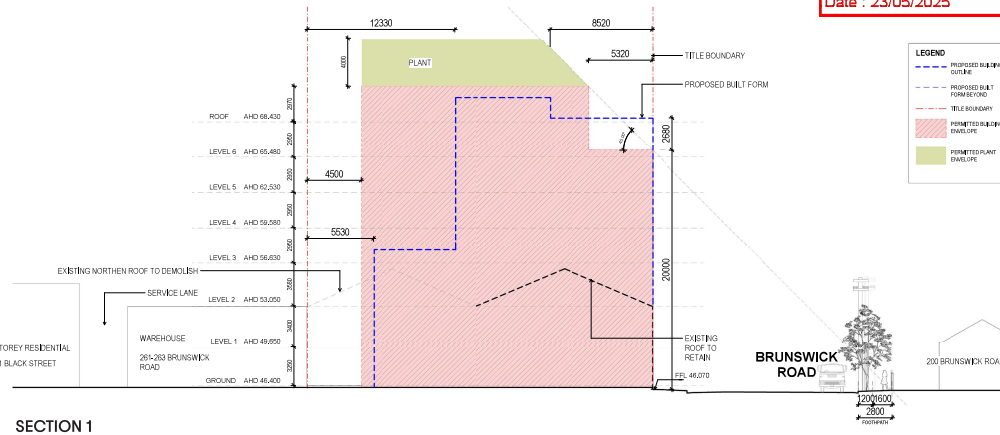
03 Maximum Height Study: North/South Section

The new building form sits over the existing Cable Tram Engine House ridge line with a veil of lightweight steel cladding down to the existing parapet line.

The design takes the approach of avoiding a stepped façade, holding the site corners, as per the heritage building, to create a cohesive and complementary built form.

This strategy permits the building plate to shift south creating substantial setback from the northern boundary providing natural light benefit to residents, amenity areas and elevated equitable development outcomes to the site north of the boundary.

A street wall encroachment of 2550-2720 from natural ground level over the Moreland Planning Scheme results in minimal overshadowing to the footpath on the south side of Brunswick Road (refer to Shadow Studies).



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07

Facade Strategy

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07 Facade Strategy

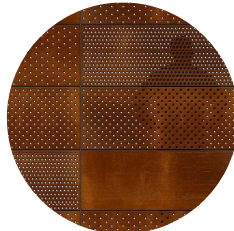
01 Facade Expression and Habitable Space

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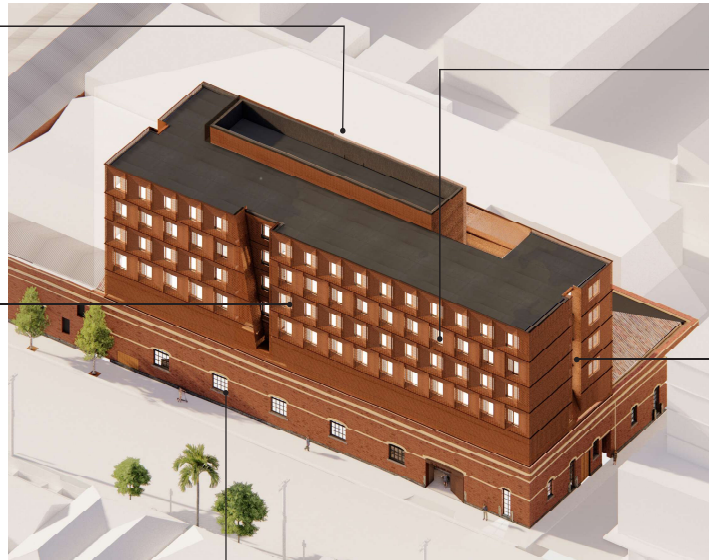
Communal Outdoor Podium Terrace (Level 3)
— Generous north facing landscaped terrace with ample boundary setback maximise daylight.



Facade Expression 01
— Perforated metal rain screen facade
— Panels varied in articulation and size of perforation to create subtle variety in form and shadow across the facade.



Facade Expression 02
— Restored original bi-chromatic brick facade and windows



Reduced Shell Depth
— Better Daylight Access to Rooms



Daylight to End of Corridors
— Amenity Considerations
— Street Visual Connections

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07 Facade Strategy

02 Reference Imagery & Detail

Facade Design

The facade has been purposefully designed to maintain a neutral and uniform aesthetic, drawing inspiration from an industrial design language that respectfully references the historical use of the existing heritage building without overpowering it.

A continuous rainscreen veil of perforated steel panels is offset from the solid facade, creating depth and articulation. Horizontal dividing metal blades are integrated at each level, echoing the linearity of the heritage mouldings on the existing building below.

This cladding system is applied consistently across the new facade, symbolically reflecting the site's industrial heritage while subtly emphasizing the building's geometric shifts.

Daytime Activation

A combination of straight and folded perforated metal panels has been strategically used to interact with natural light, creating dynamic shadowing effects that animate the facade across multiple planes.

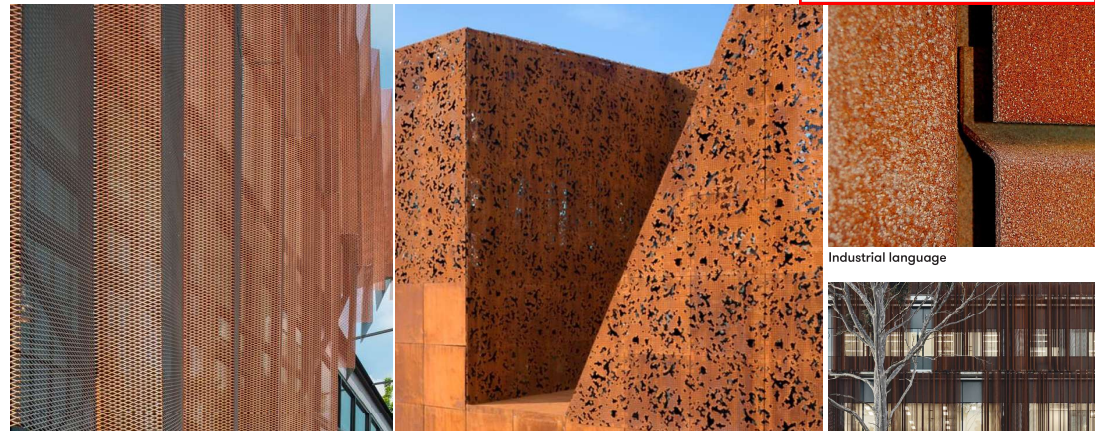
Nighttime Activation

The offset cladding enhances nighttime activation by allowing internal lighting to filter through, effectively backlighting the facade. This interplay of light and shadow transforms the building's appearance, adding visual interest after dark.

Additionally, the facade design incorporates varying perforation sizes to create nuanced visual permeability and a subtle colour gradation, harmonizing with the heritage brick facade below while reinforcing the precinct's industrial character.

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A continuous rainscreen veil

The veil permits a cohesive resolution of geometric shifts in form

Expression of individual rooms



Folded perforated metal panels creating dynamic shadowing effects

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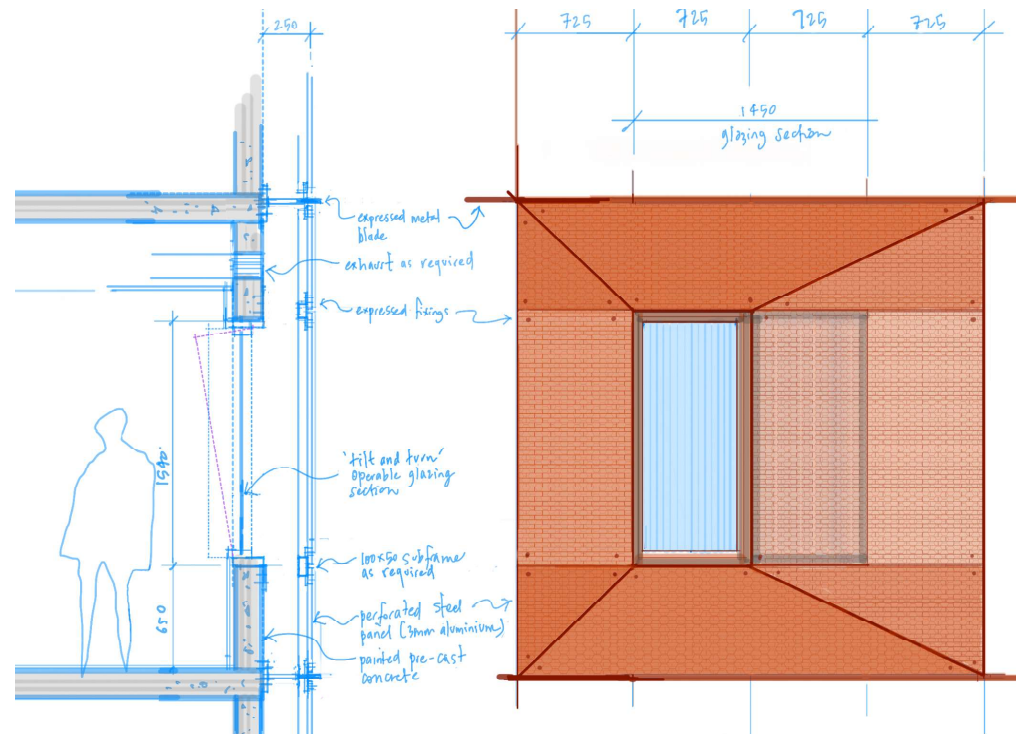
07 Facade Strategy

03 Facade Cladding and Glazing Concept

The 1450 wide standard 'tilt and turn' glazing modules are designed to open inward for natural ventilation and cleaning.

In every instance they offer a single 100% vision panel and a second panel that has 70% visibility through a perforated metal screen.

The perforated rain screen 'veil' is mounted 250mm off the external wall line.



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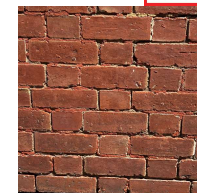
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07 Facade Strategy
03 Material Palette

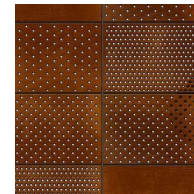
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01. GL01 - Clear Glazing in Charcoal Finish Frames



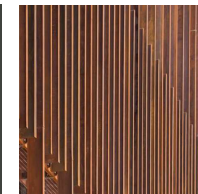
2. BR01 - Refurbish Existing Brickwork



3. MT01 - Perforated Metal Cladding



4. MT02 - Metal Cladding Charcoal



5. MT03 - Metal batten doors/frames



6. ST01 - Refurbished Bluestone Basecourse



7. ST02 - Refurbish Existing Mouldings

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Visualisation - Interiors

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08 Visualisation - Interior**01 Atrium View**

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Main Atrium View

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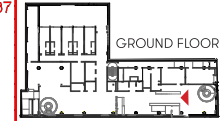
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08 Visualisation - Interiors**02 Atrium Views**

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View looking North from the entrance towards the Cafe & Student Amenities above

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08 Visualisation - Interiors**03 Atrium Views**

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View looking from the cafe and reception area to the west of the triple height amenities hall

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08 Visualisation**04 Garden View**

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Retention of the heritage wall in the northern courtyard

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09

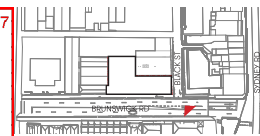
Visualisation - Exteriors

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09 Visualisation - Exteriors
01 Brunswick Road - Street Views

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Intersection of Brunswick Road and Black Street looking West

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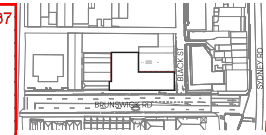
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09 Visualisation - Exteriors**01 Brunswick Road view from Sydney Road**

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Intersection of Brunswick Road and Sydney Road looking West

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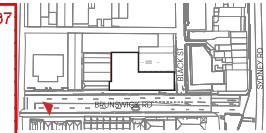
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09 Visualisation - Exteriors**02 Brunswick Road View from Western Side**

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Brunswick Road looking East towards the Sydney Road intersection

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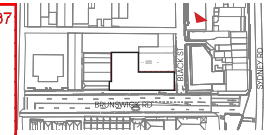
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09 Visualisation - Exteriors**03 Black Street View from North Side**

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Black Street looking South towards Brunswick Road intersection. Ground plane obscured by existing substation in the foreground

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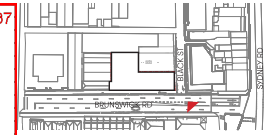
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09 Visualisation - Exteriors**03 Brunswick Road View Night - south elevation**

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APPENDIX

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01

Shadow Studies

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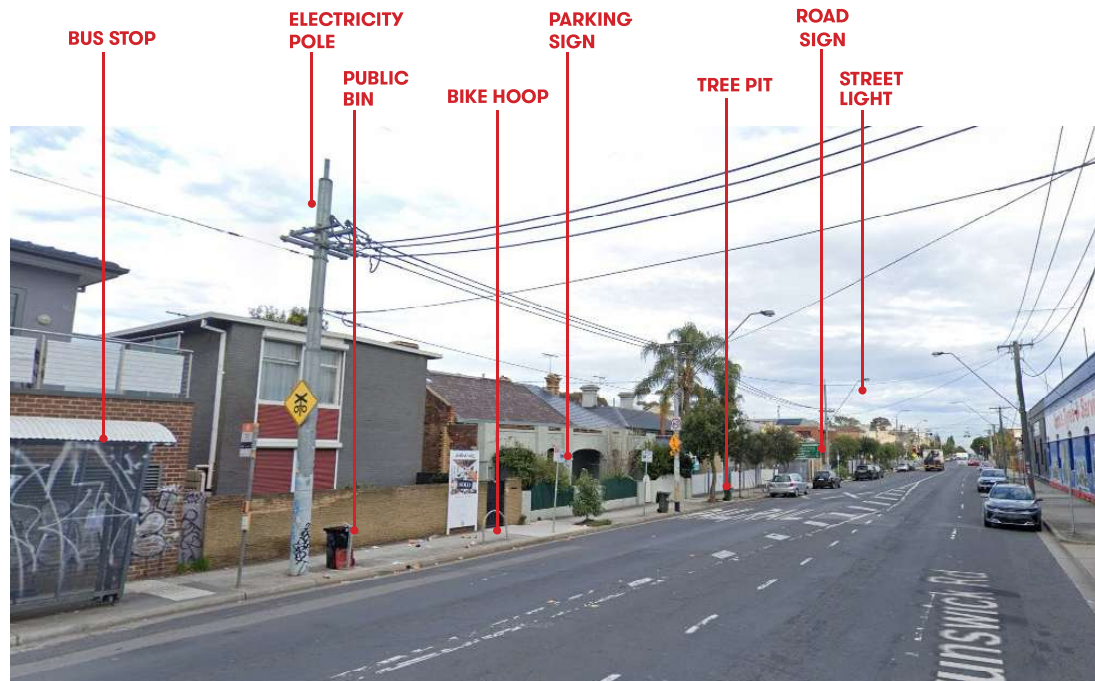
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01 Shadow Studies

01 Pedestrian Footpath Shadow Study

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Existing Footpath Character

The footpaths along Brunswick Road, to the north and south of the site, primarily function as minor pedestrian routes within the immediate precinct. Their characteristics and usage differ based on existing street infrastructure and surrounding urban elements.

South

The southern footpath, fronting the site, is characterised by a variety of street furniture and landscaping elements, contributing to a structured yet congested layout. These elements effectively restrict pedestrian movement to the southern portion of the footpath. Additionally, parking bays are integrated along this strip, further influencing circulation patterns.

The properties along this section are serviced by a rear laneway, providing vehicular access and multiple entry points, minimizing the reliance on front-facing pedestrian access.

North

The northern footpath, directly fronting the site, remains largely featureless and underutilised. Its activation will rely on the pedestrian circulation generated by the proposed development, offering an opportunity to enhance street-level activity and engagement.

The proposed building form has been designed with careful consideration to minimise shadow impacts on the southern section of the footpath. Given its current limited pedestrian activity, the design ensures that any shading does not significantly affect trafficable areas.

Further details on shadow impact are provided in the following section of this report.

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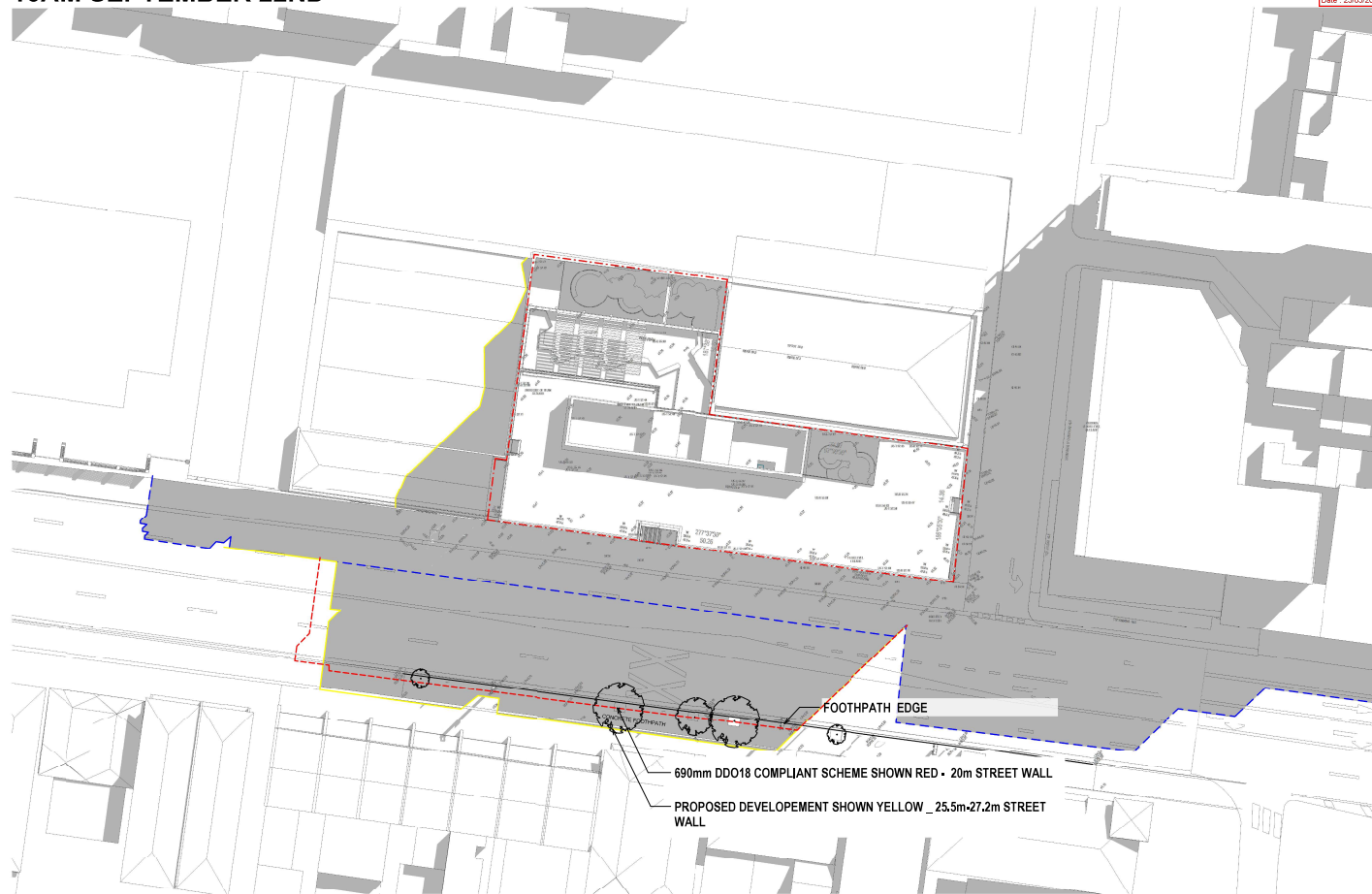
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10AM SEPTEMBER 22ND

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--- EXTENT OF EXISTING SHADOW
--- EXTENT OF ADDITIONAL SHADOW

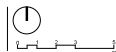
Project Title
Cable Tram Engine House
253-259 Brunswick Road, Brunswick



Hayball
Melbourne Sydney Brisbane Canberra
155 Collins Street Melbourne 3000
155 Collins Street Sydney 2000
155 Collins Street Brisbane 4000
155 Collins Street Canberra 2600
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Email: info@hayball.com.au
Web: www.hayball.com.au

Drawn By
Checked By
Date Printed
Scale

Author
Checked By
Date
As Indicated A1



Rev. Date Description
1 2025/03/20 Initial Design Response

Drawing Title
SHADOW DIAGRAM 10AM

Status
TOWN PLANNING

Project No. 2732
Drawing No. TP40.01
Revision 1

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11AM SEPTEMBER 22ND

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— EXTENT OF EXISTING SHADOW
— EXTENT OF ADDITIONAL SHADOW

Project Title Cable Tram Engine House 253-259 Brunswick Road, Brunswick		Headline Project No: 2732 Date: 20/03/2023 Drawn By: [Name] Checked By: [Name] Scale: 1:1	Revision Rev: 1 Date: 20/03/2023 Description: [Text]	Drawn By [Name] Checked By [Name] Scale 1:1	Author [Name] Check [Name] Scale 1:1	 Date: 20/03/2023 Time: 10:30 AM Drawn By: [Name] Checked By: [Name] Scale: 1:1	 0 1 2 3 4 5 6 7 8 9 10	Drawing Title SHADOW DIAGRAM 11AM	Revision TOWN PLANNING	Project No 2732	Drawing No TP40.02	Rev 1
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12PM SEPTEMBER 22ND

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FOOTPATH EDGE
DDO18 COMPLIANT SCHEME SHOWN RED - 20m STREET WALL
PROPOSED DEVELOPMENT SHOWN YELLOW

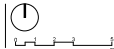
--- EXTENT OF EXISTING SHADOW
--- EXTENT OF ADDITIONAL SHADOW

Project Title
Cable Tram Engine House
253-259 Brunswick Road, Brunswick



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Melbourne Sydney Brisbane Canberra
155 Collins Street Melbourne 3000
155 Collins Street Melbourne 3000
155 Collins Street Melbourne 3000
155 Collins Street Melbourne 3000

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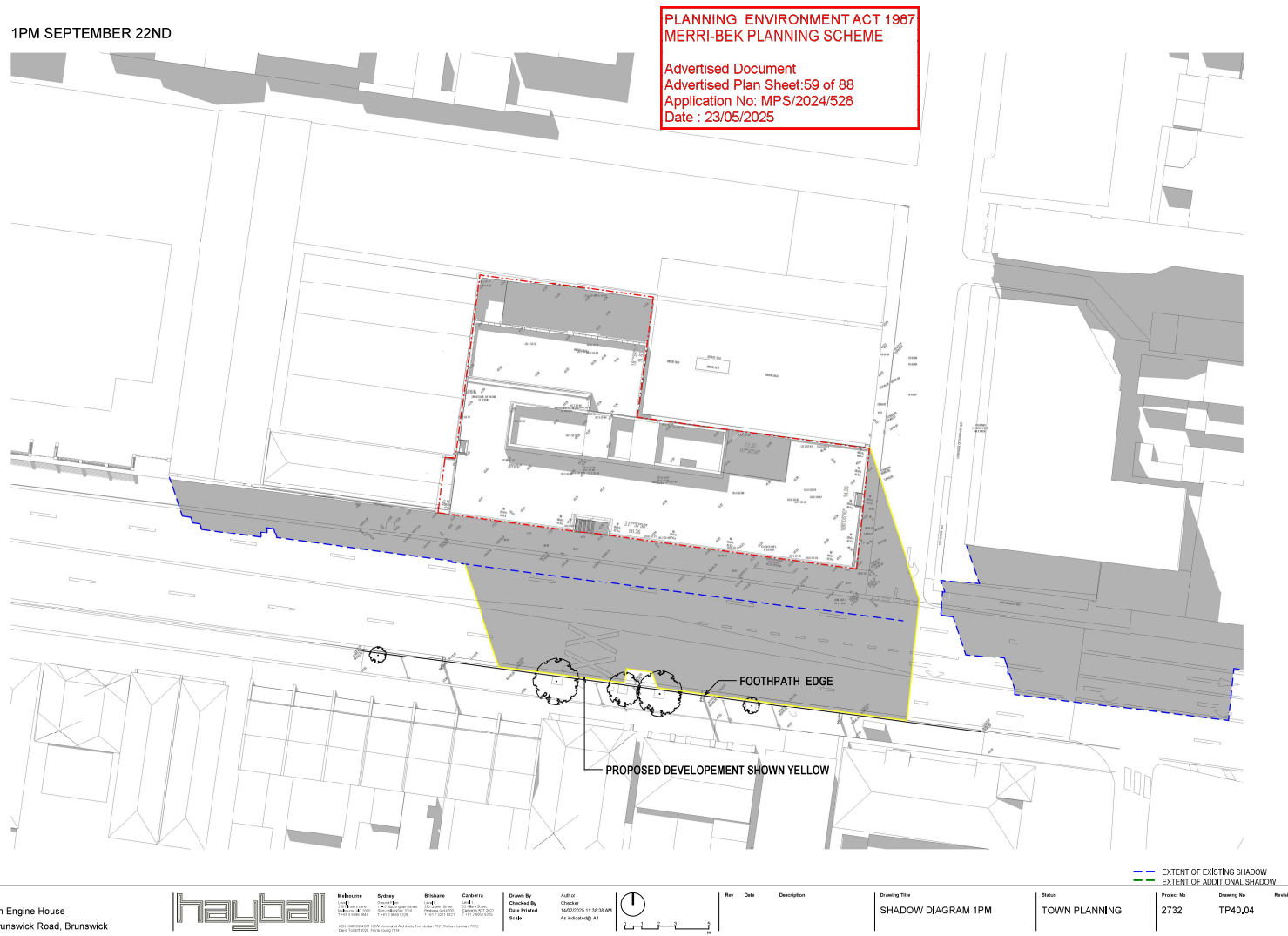
Rev	Date	Description
1	22/05/2025	Initial Design Response

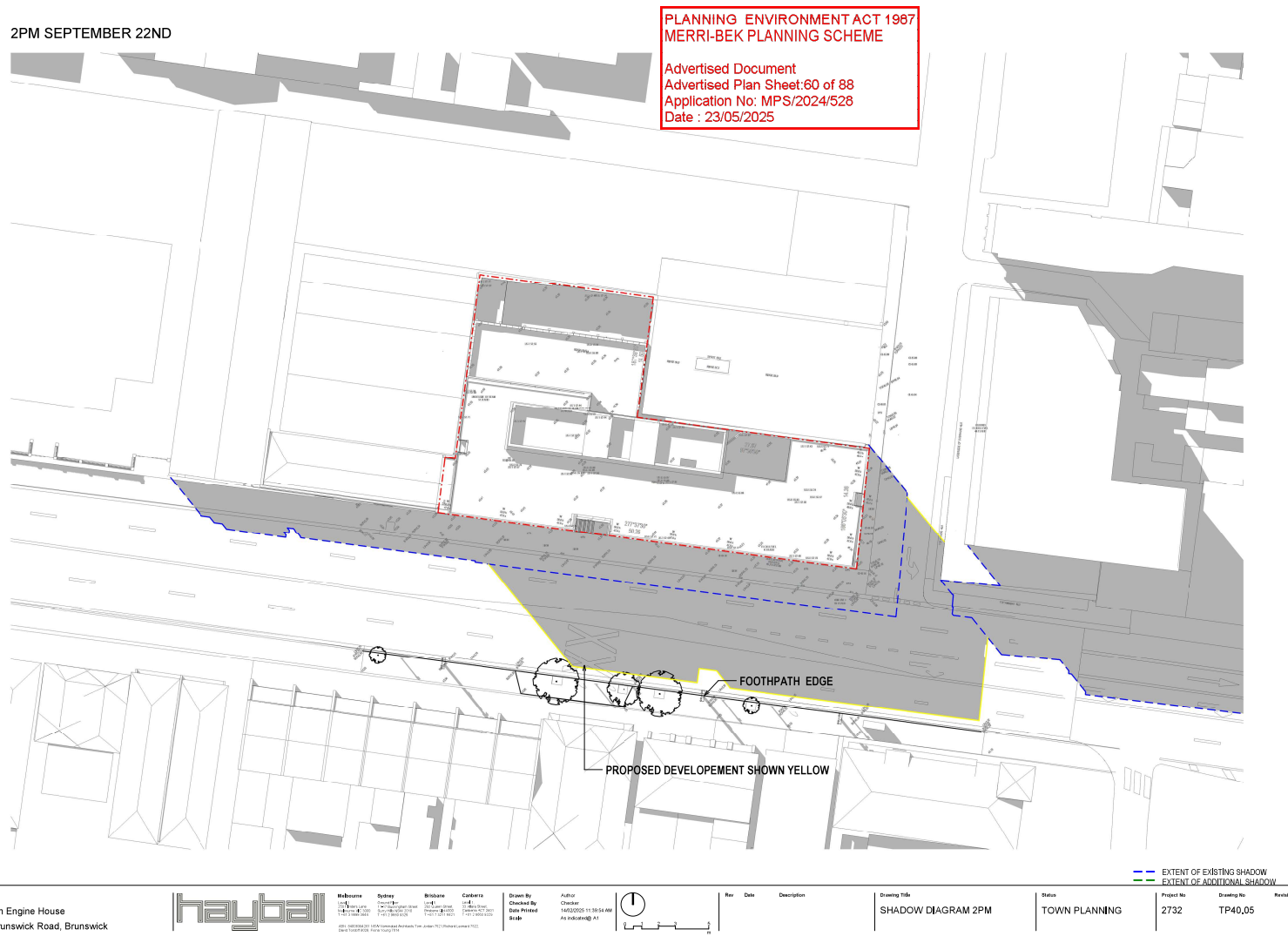
Drawing Title
SHADOW DIAGRAM 12PM

Station
TOWN PLANNING

Project No	Drawing No	Revision
2732	TP40.03	1

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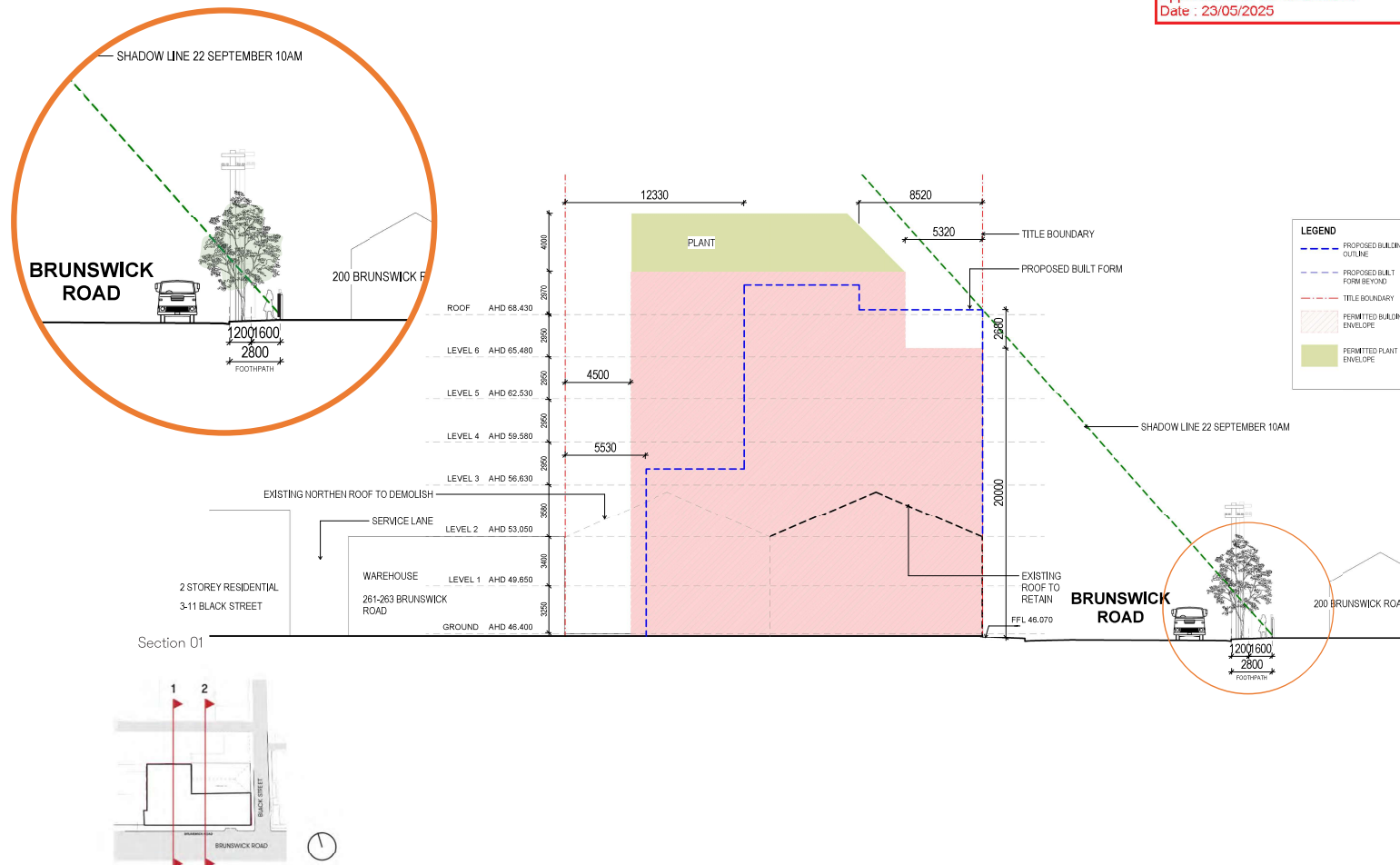


01 Shadow Studies

01 Pedestrian Foothpath Shadow Study North / South Section 10AM

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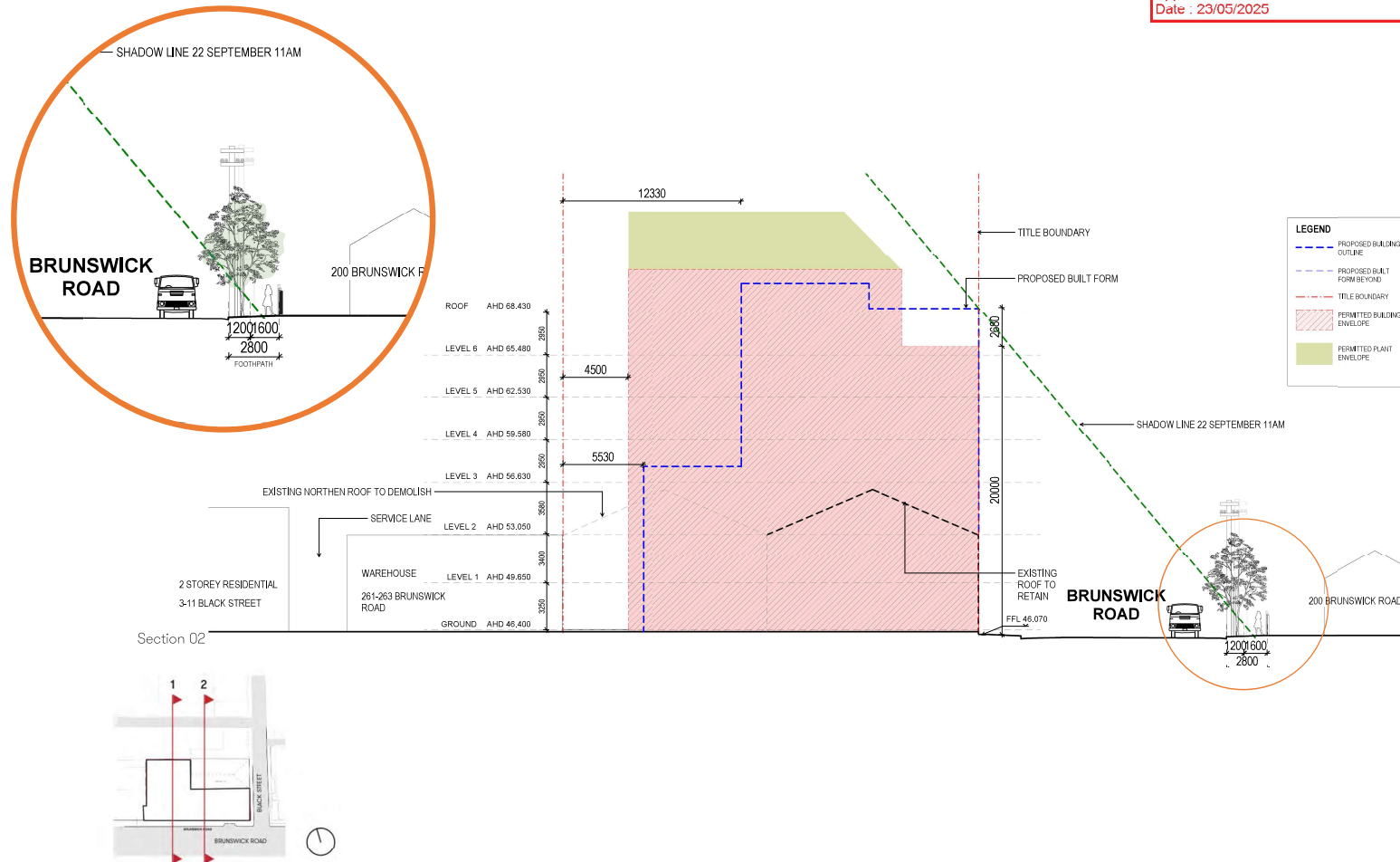
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01 Shadow Studies**02 Pedestrian Foothpath Shadow Study North / South Section 11AM**

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01 Shadow Studies

03 Southern Footpath Shadow - 3D Studies

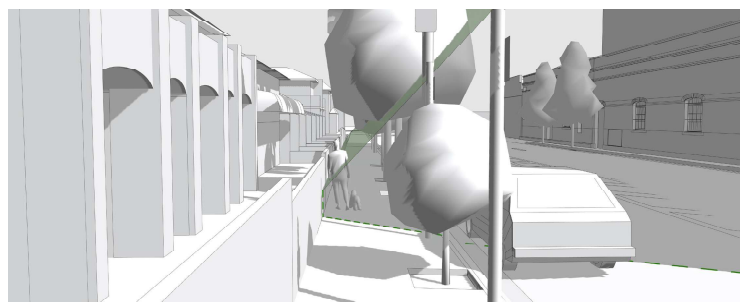
The limited encroachment of shadow at mid morning on the southern footpath, opposite the site along Brunswick Road, represents minimal loss of amenity to pedestrians as demonstrated in these 3D studies.

At ground plane, the shadow fully shifts off the usable section of the footpath in an hour.

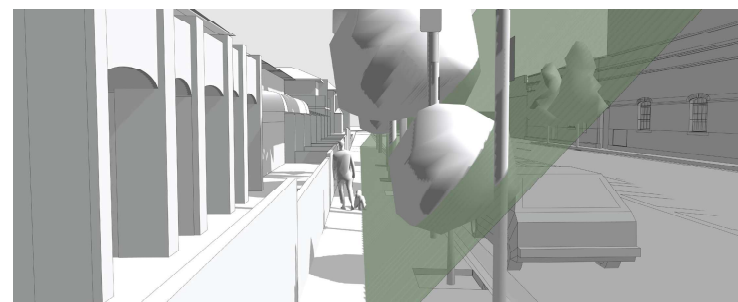
The angle of shadow does not impinge daylight casting on pedestrians in a way that is any greater than existing street furniture or vegetation.

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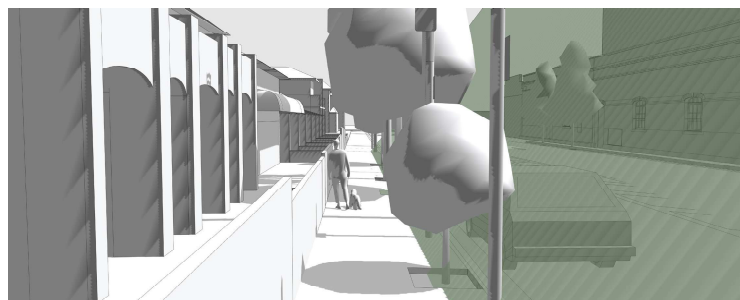
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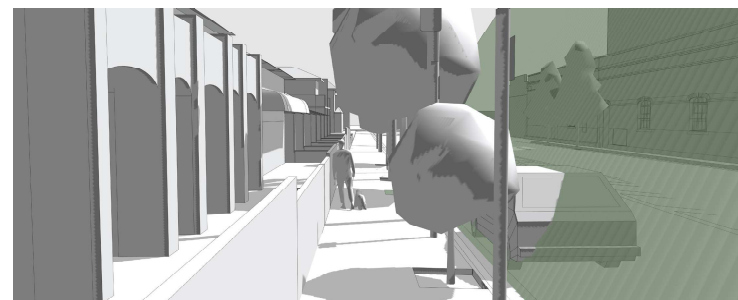
3D SHADOW STUDY - 10 AM



3D SHADOW STUDY - 11 AM



3D SHADOW STUDY - 12 PM

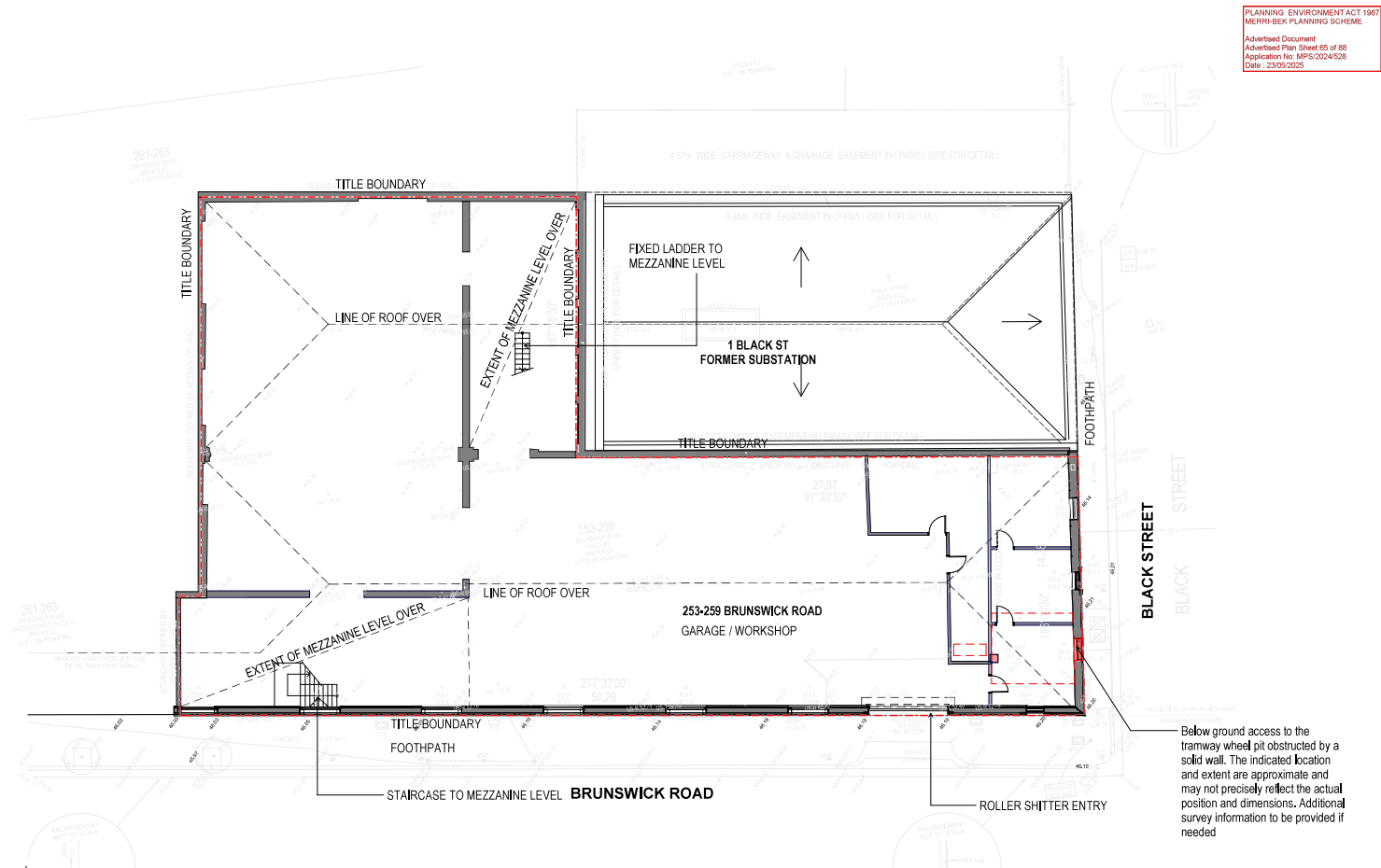


3D SHADOW STUDY - 1 PM

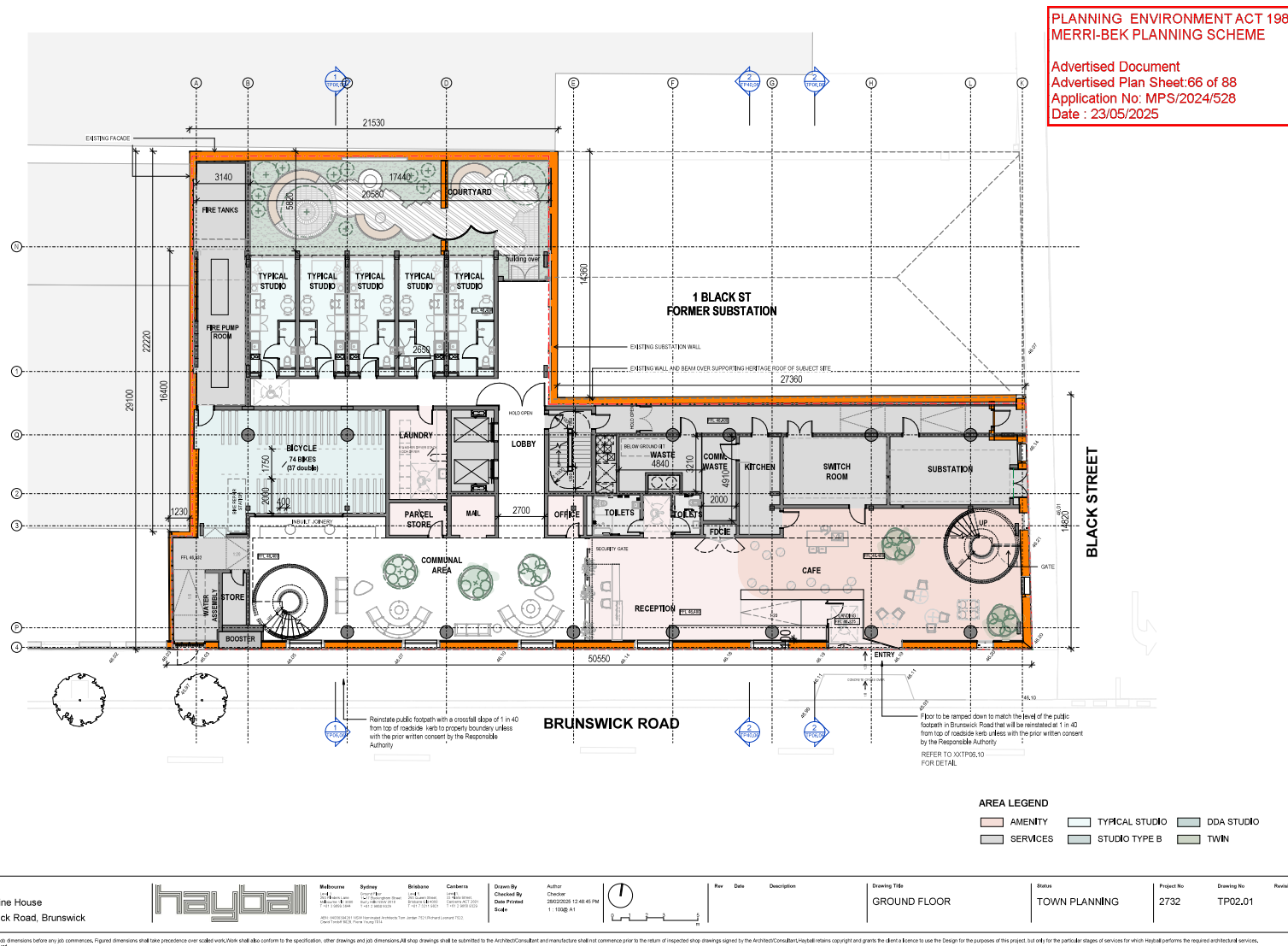
01 Plans

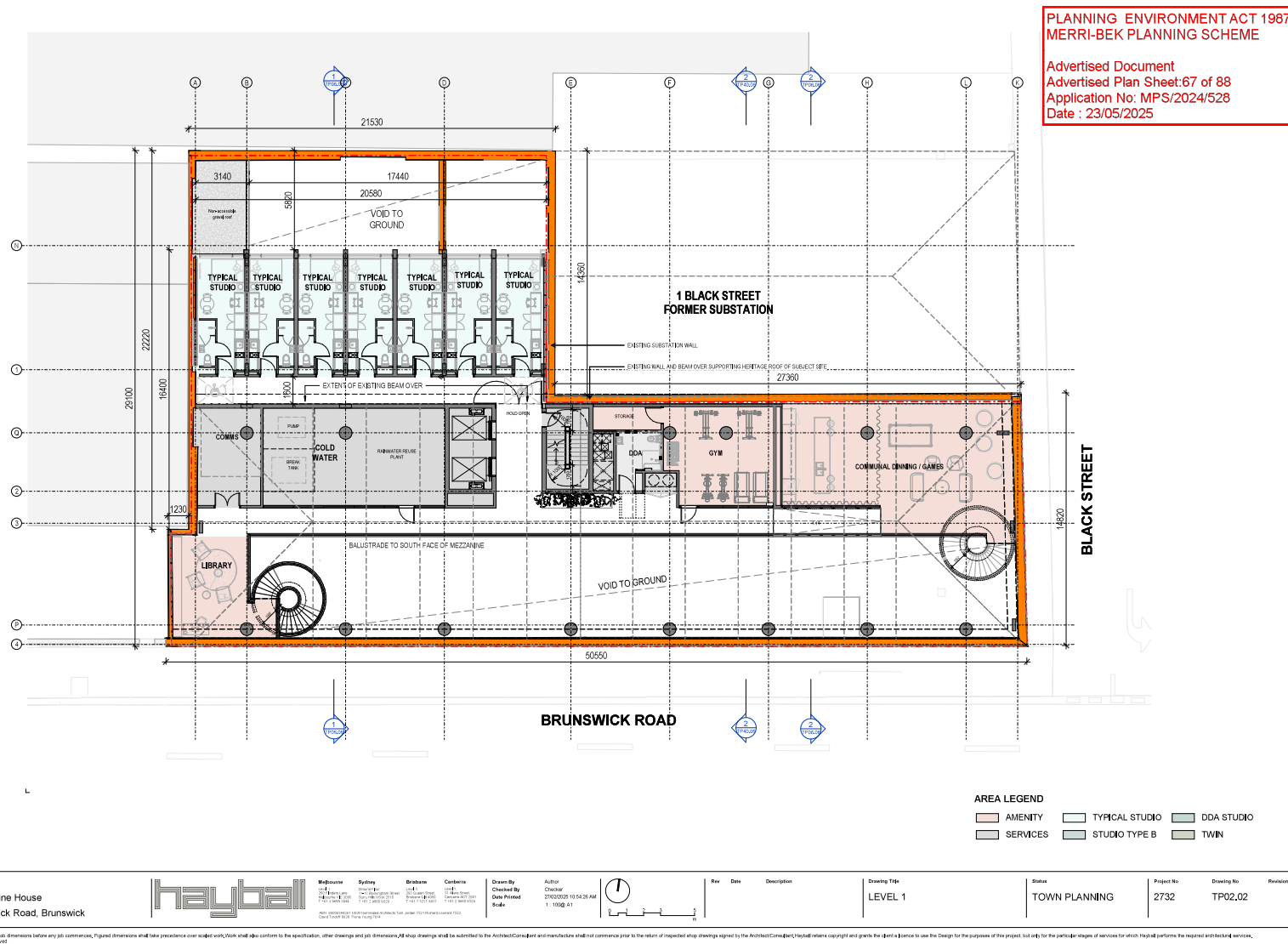
PLANNING ENVIRONMENT ACT 1987
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Date : 23/05/2025

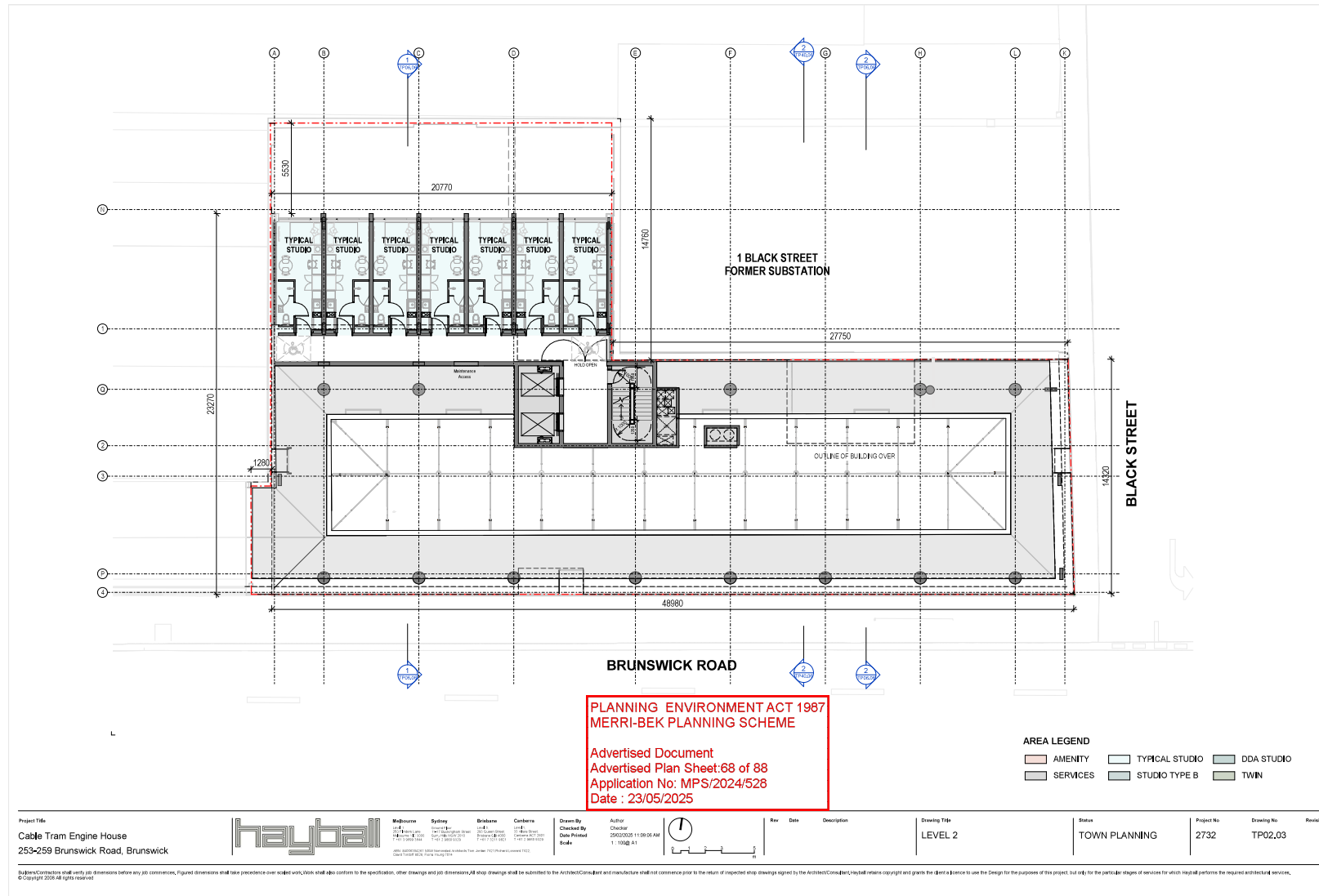
Hayball 65

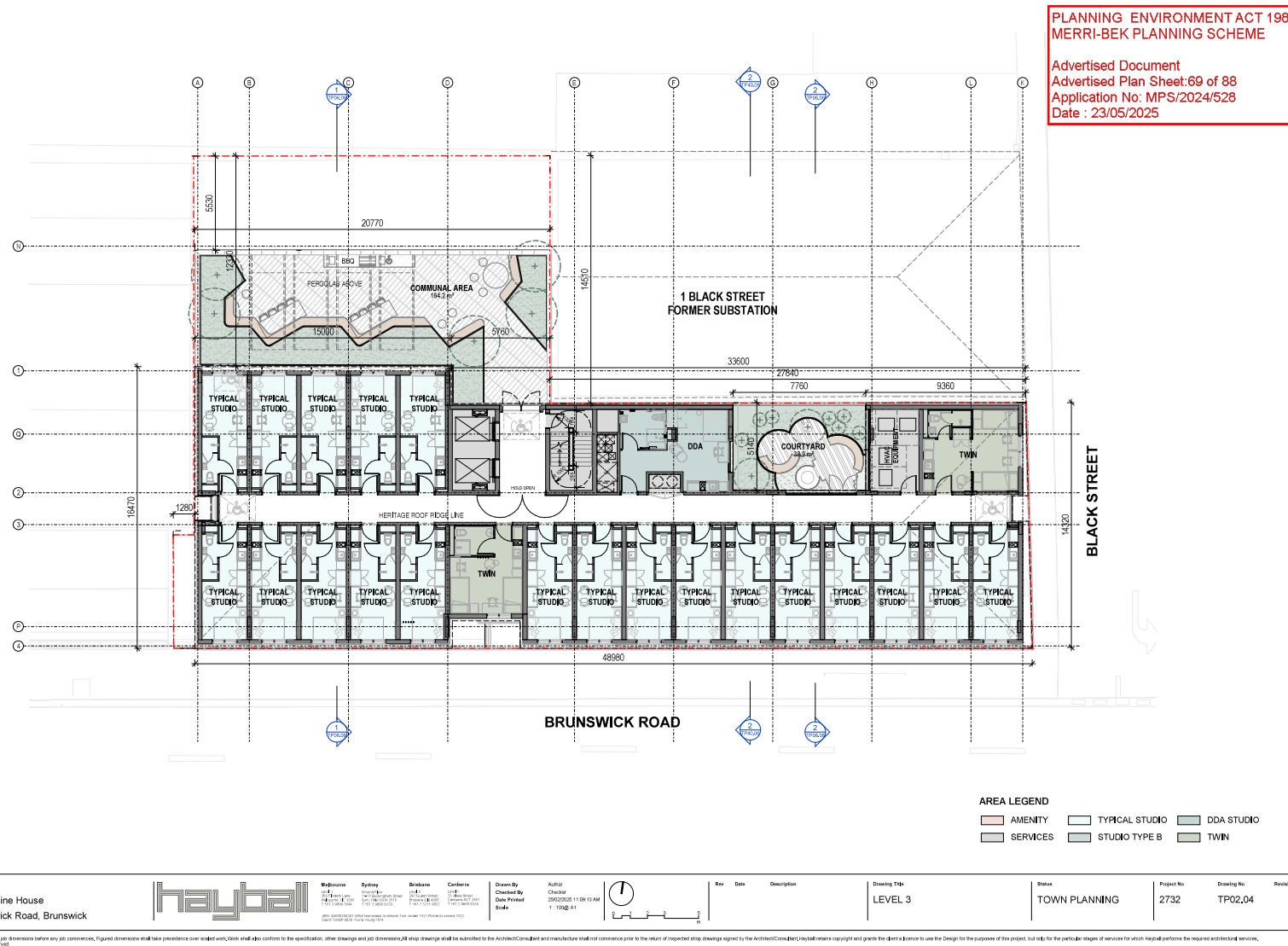


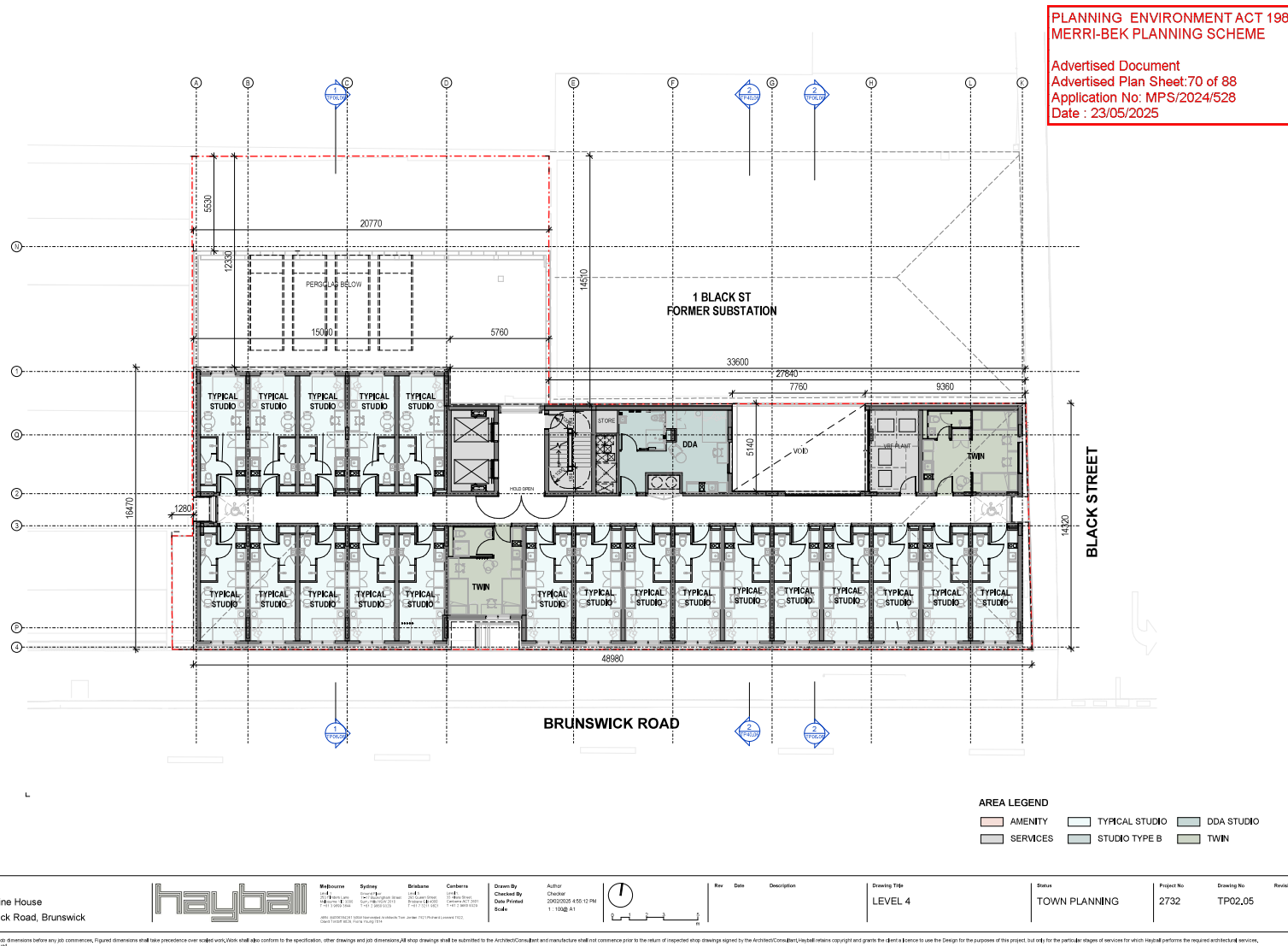
Project Title		Reference	System	Accessories	Comments	Drawn By	Auto		Rev	Date	Description	Drawing Title	State	Project No	Drawing No	Revised
Cable Tram Engine House 253-259 Brunswick Road, Brunswick		1 of 1 10/10/2023	1 10/10/2023	1 10/10/2023	1 10/10/2023	Checked By DAVID SPOONER	404002012 40 53 PM 1 / 1000 kg					PROPOSED DEMOLITION WORKS - EXISTING GROUND FLOOR PLAN	TOWN PLANNING	2732	TP01.12	
<p>Hayball & Contractors shall verify all dimensions before any job commences. Tolerances shall take precedence over scaled work and shall also conform to the specification. Other drawings and dimensions shall be submitted to the Architect/Consultant and manufacturer shall not commence prior to the return of inspected shop drawings signed by the Architect/Consultant/Hayball retains copyright and grants the client a license to use the design for the purposes of this project, but only for the particular stages of services for which Hayball provides the required architectural services. Copyright © 2006 All rights reserved.</p>																

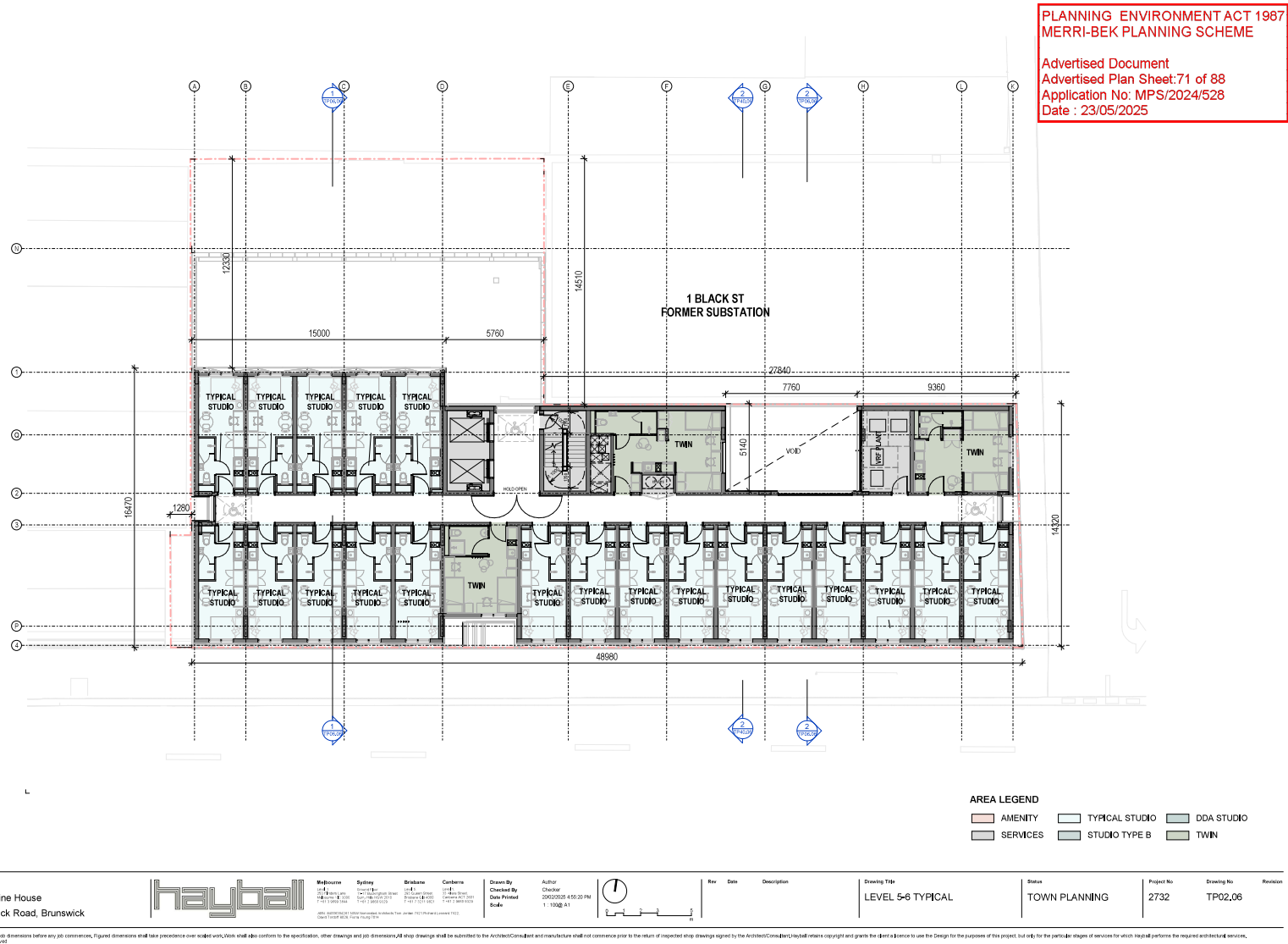


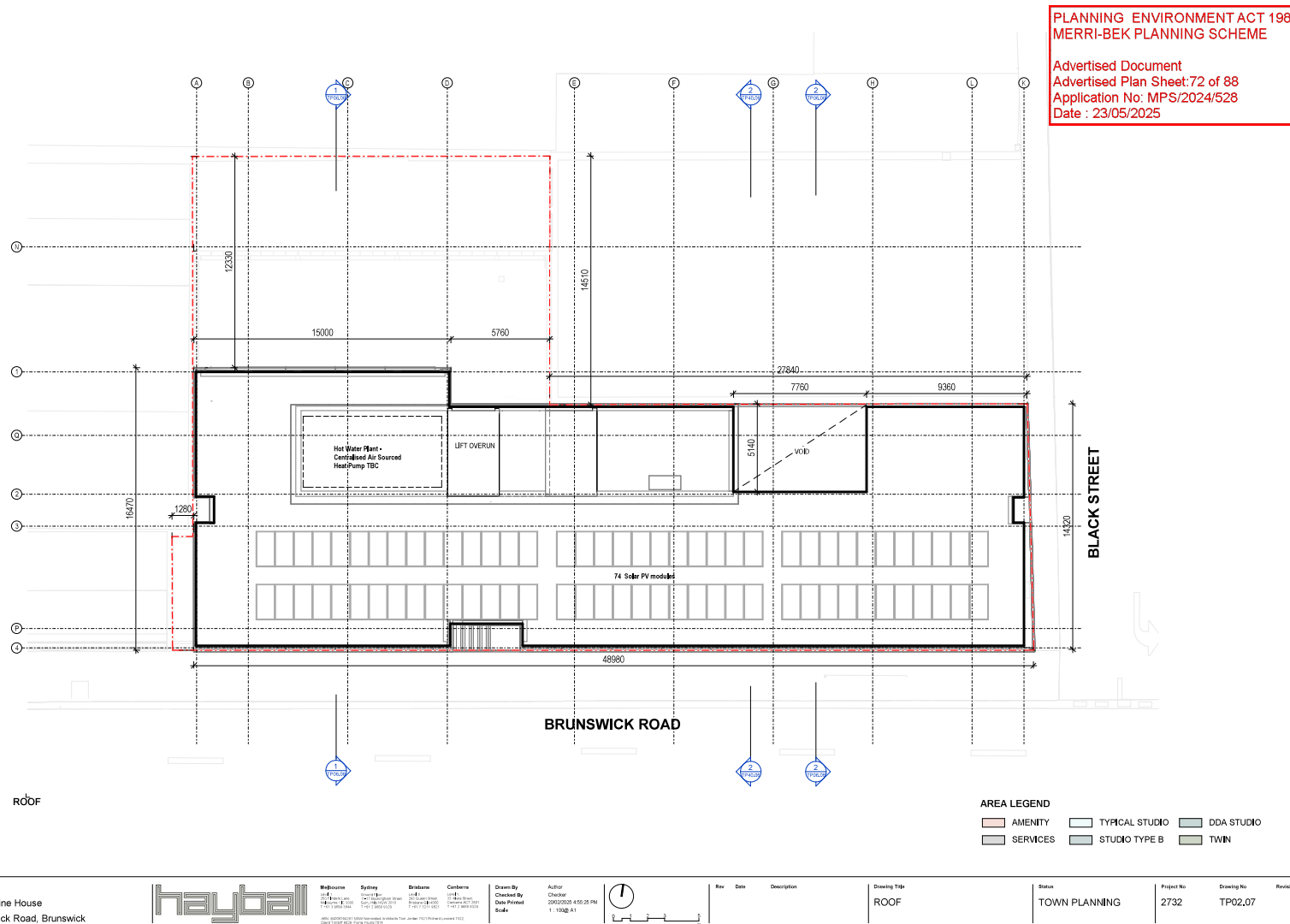




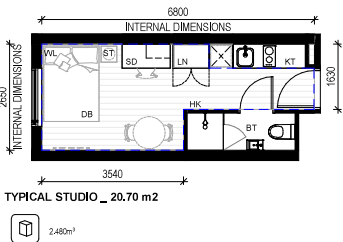






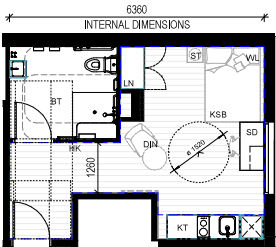


STUDIO



TYPICAL STUDIO _ 20.70 m2

2.480m³



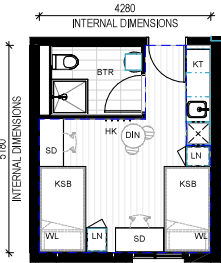
DDA STUDIO _ 31.8 m2

2.670m³

PLANNING ENVIRONMENT ACT 1987
MERRI-BEK PLANNING SCHEME

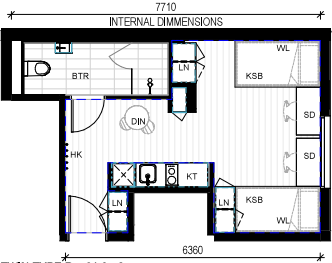
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TWIN



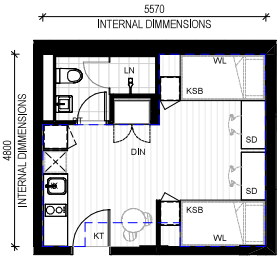
TWIN TYPE _ A 25.5m2

3.720m³



TWIN TYPE B _ 31.8m2

6.080m³



TWIN TYPE C _ 31.2m2

4.520m³

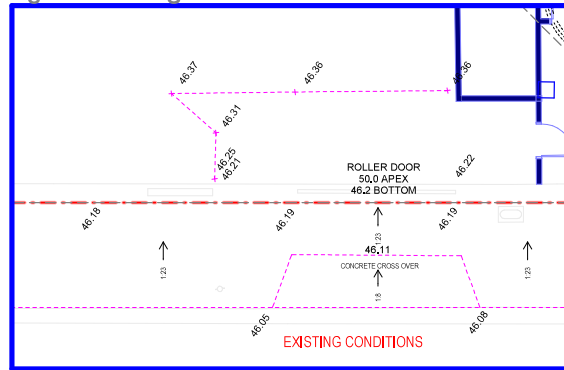
- NOTE FOR BAYS STORAGE CALCULATIONS
1. 2700MM AFFL GENERAL HEIGHTS
 2. 2400MM CEILING HEIGHT
 3. 700MM HIGH UNDERBENCH STORAGE
 4. 800MM HIGH ON OHEAD STORAGE
 5. 800MM BENCHTOP DEPTH
 6. 100 MM DEEP SPICE RACKS
 7. 150 H DRAWER UNDER OVEN

- ABBREVIATIONS
- BT PRIVATE ENSUITE BATHROOM
 - DB DOUBLE BED
 - HK CLOTHES HOOK
 - KT KITCHEN
 - KSB KITCHENETTE WITH MICROWAVE, 2-BURNER STOVE, DRAWER DISHWASHER/WASHER AND FULL HEIGHT FRIDGE
 - LN BUILT-IN WARDROBE WITH FULL LENGTH MIRROR
 - DB QUEEN BED
 - SD STUDY DESK WITH BOOKSHELF AND CHAIR
 - 100mm UNLESS OTHERWISE DIMENSIONED
 - ST FOLDABLE BED TABLE
 - WL WALL MOUNTED LIGHT FITTING

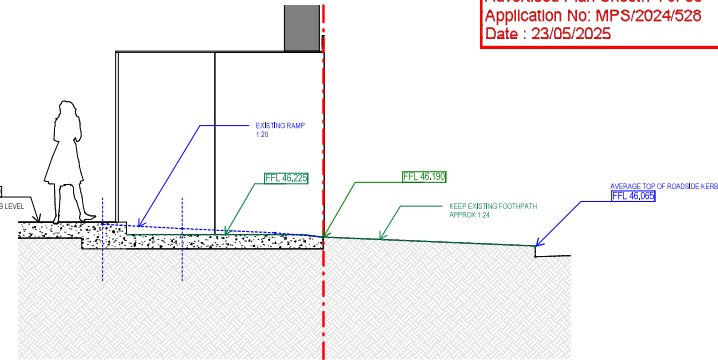
Project Title	haya	Subsistence	Systems	Drawings	Contents	Drawn By	Checked By	Author	Rev	Date	Description	Drawing Title	Status	Project No	Drawing No	Revision
Cable Tram Engine House		1.1	1.1	1.1	1.1	1.1	1.1	1.1				ROOM TYPE PLANS	TOWN PLANNING	2732	TP10,01	
253-259 Brunswick Road, Brunswick																
Subject/Contractor shall verify all dimensions before any construction. Figure dimensions shall take precedence over verbal works. Works shall also conform to the specification. Other drawings and job dimensions shall be submitted to the Architect/Consultant and manufacture shall not commence prior to the return of requested shop drawings signed by the Architect/Consultant/Manufacturer copyright and grants the client a licence to use the Design for the purposes of this project, but only for the particular stages of services for which Hayball performs the required architectural services. © Copyright 2024 All rights reserved.																

01 Plans

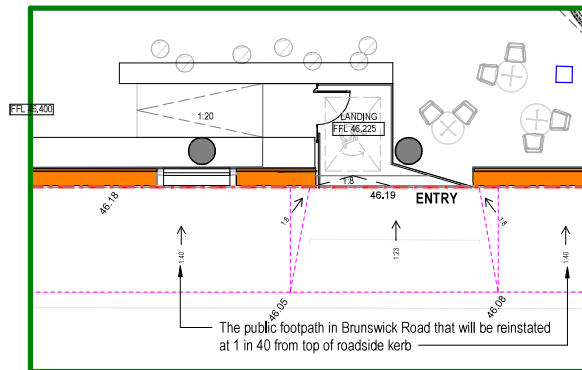
01 Entry Levels Diagram



GROUND FLOOR - ENTRY LEVELS EXISTING



ENTRY LEVELS DETAIL SECTION



GROUND FLOOR - ENTRY LEVELS NEW DESIGN

Project Title
Cable Tram Engine House
253-259 Brunswick Road, Brunswick



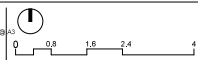
McBourne
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Phone: 02 9251 1234
Fax: 02 9251 1235
Email: info@hayball.com.au
Website: www.hayball.com.au

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Brisbane QLD 4000
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Website: www.hayball.com.au

Canberra
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Canberra ACT 2600
Phone: 02 6211 1234
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Website: www.hayball.com.au

Date Printed
14/02/2025
Time
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Scale
As indicated



Rev Date Description

SECTION DIAGRAMS - ENTRY
LEVELS FOR REPORT

Project No Drawing No Revision
2732 XXTP06.10

Bulkhead/Contractions shall verify job dimensions before any job commences. Figured dimensions shall take precedence over verbal work. Work shall also conform to the specification, other drawings and job dimensions. All shop drawings shall be submitted to the Architect/Consultant and manufacture shall not commence prior to the return of inspected shop drawings signed by the Architect/Consultant. Hayball retains copyright and grants the client a license to use the Design for the purposes of this project. Not only for the particular stages of services for which Hayball performs the required architectural services.
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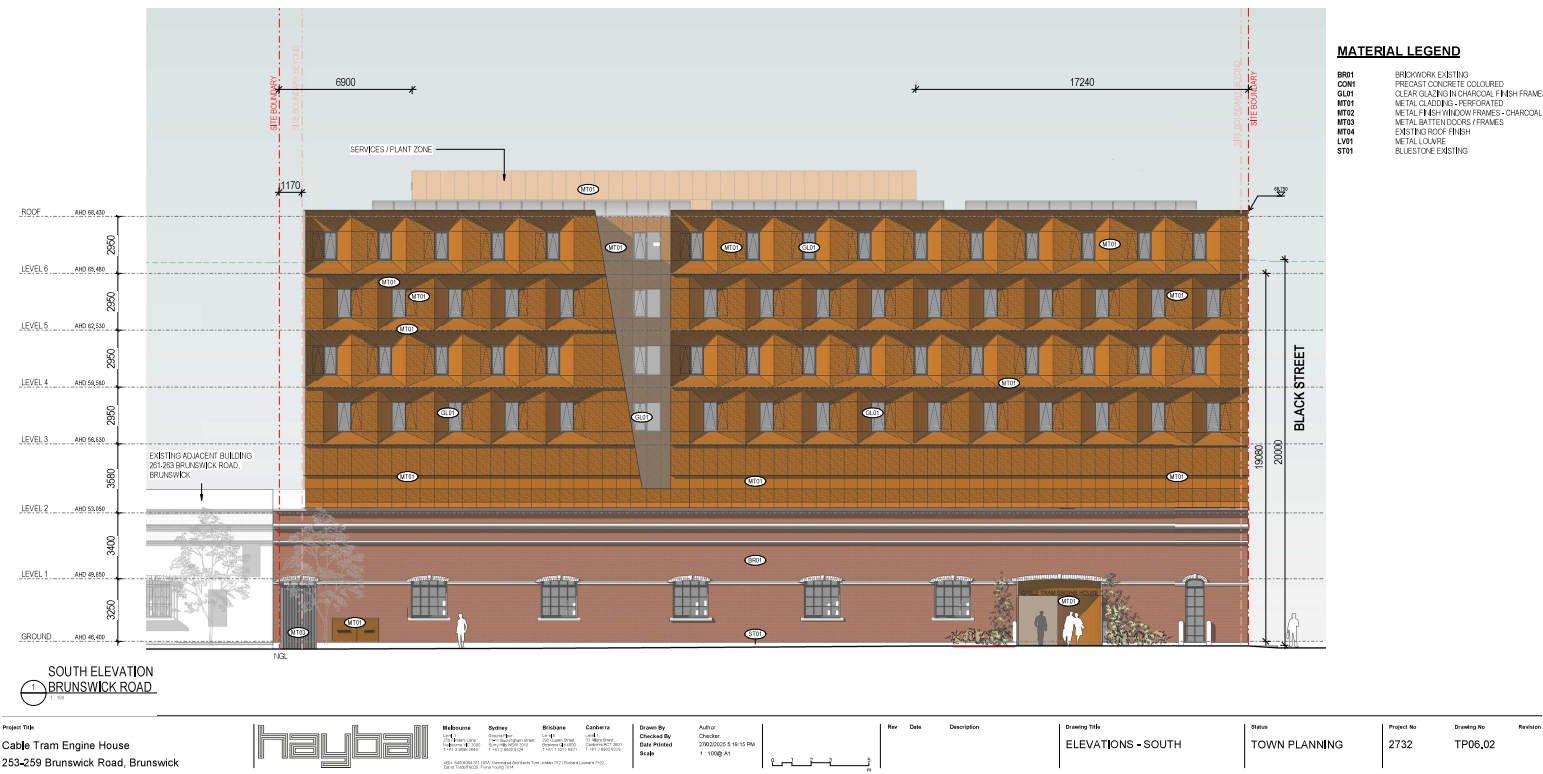
Disclaimer
The information presented herein was produced prior to the completion of construction. Floor areas, dimensions, fittings, finishes, tile patterns and patterns, and the like, and the specifications thereof, are indicative only, are not to scale and are subject to change without notice. Warranty that the information presented herein is a representation of the final product is not given either expressly or implied. Prospective purchasers must rely on their own enquiries. All areas, numbers are rounded to the nearest whole number. All dimensions are approximate. All internal / external furniture and whitegoods are not included.

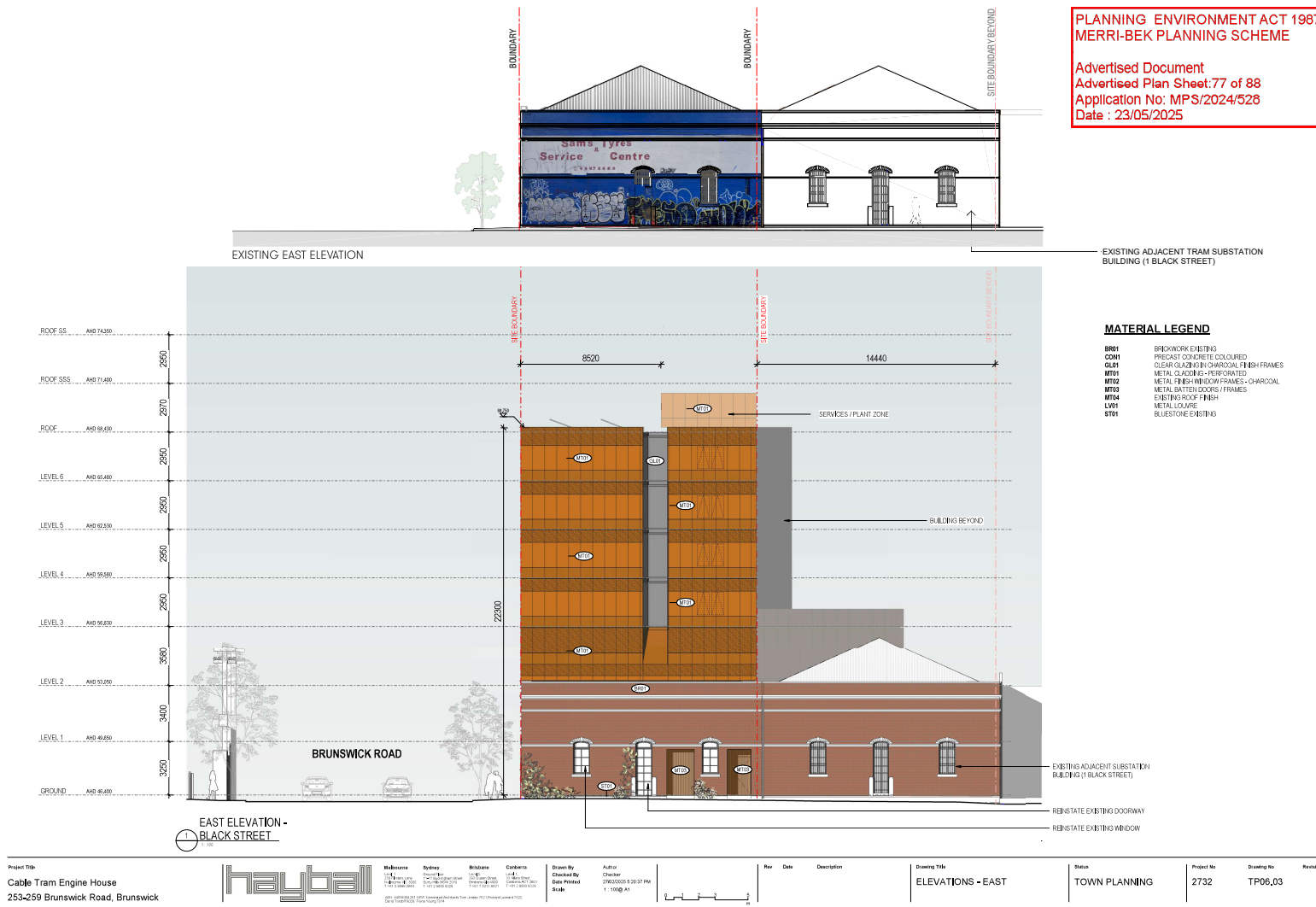
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Application No: MPS/2024/528
Date : 23/05/2025

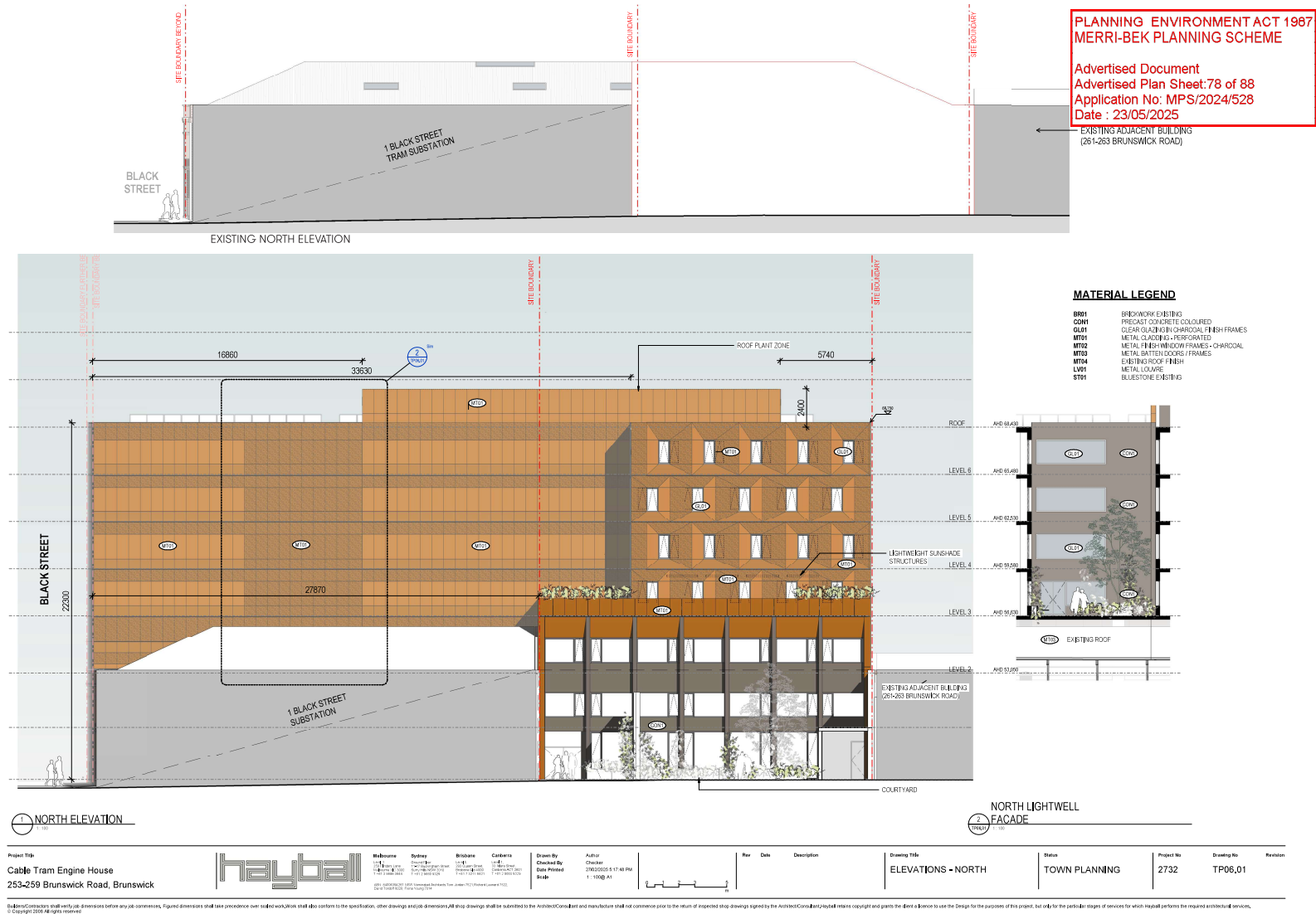
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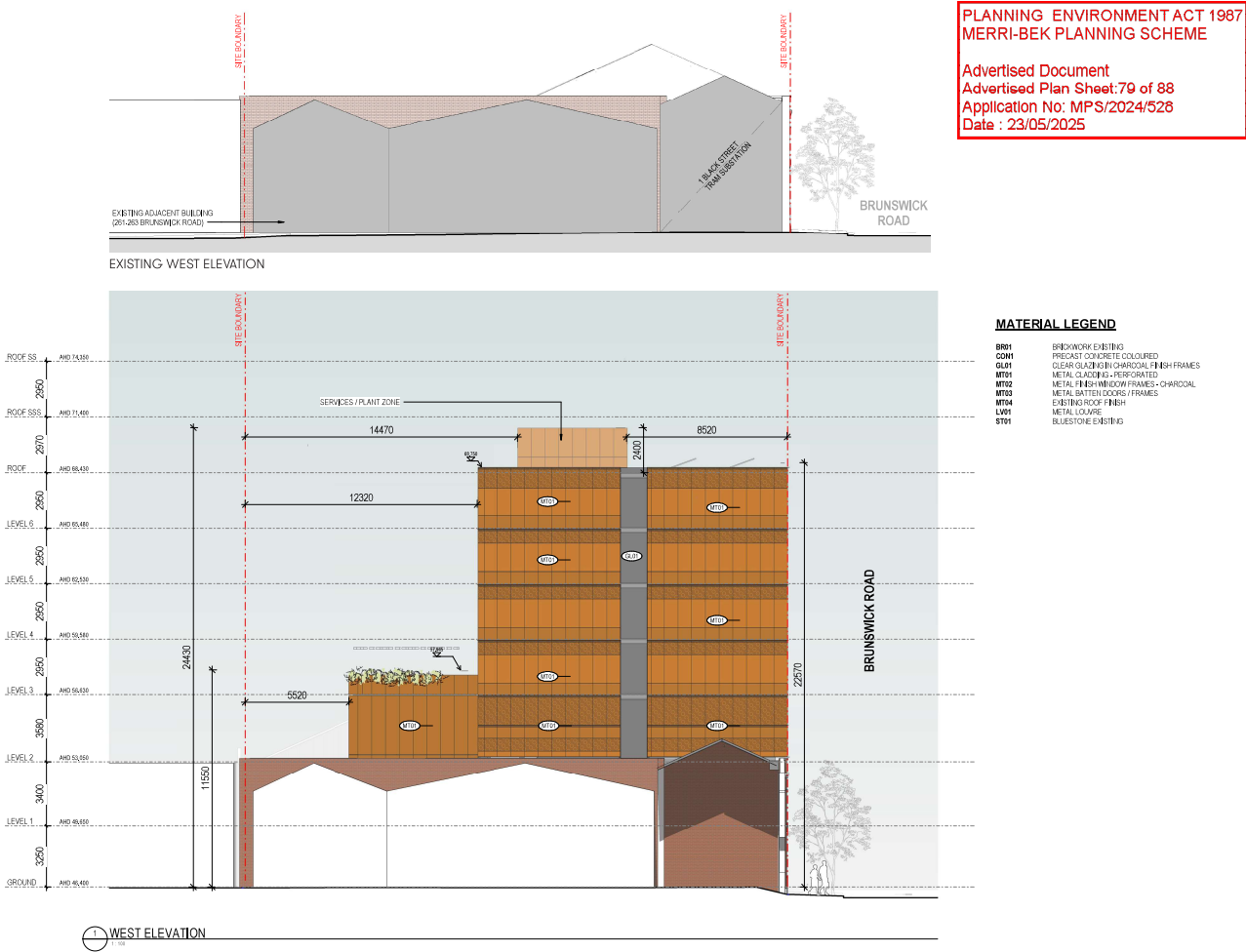
Existing & Proposed Elevations

Hayball 75









Project Title		Hayball		Melbourne Sydney Brisbane Canberra		Drawn By	Author	Rev	Date	Description	Drawing Title	Station	Project No	Drawing No	Revision
Cable Tram Engine House						Checked By	Checker				ELEVATIONS - WEST	TOWN PLANNING	2732	TP08_04	
253-259 Brunswick Road, Brunswick						Scale	Scale								
Indicate Contractors shall verify all dimensions before any job commences. Figure dimensions shall take precedence over model/workbook shall also conform to the specification, other drawings and job dimensions. All shop drawings shall be submitted to the Architect/Consultant and manufacturer shall not commence prior to the return of inspected shop drawings signed by the Architect/Consultant. Hayball retains copyright and grants the client a license to use the Design for the purposes of this project, but only for the particular stages of services for which Hayball performs the required architectural services. © Copyright 2025 All rights reserved.															

03

Sections

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Application No: MPS/2024/528
Date : 23/05/2025

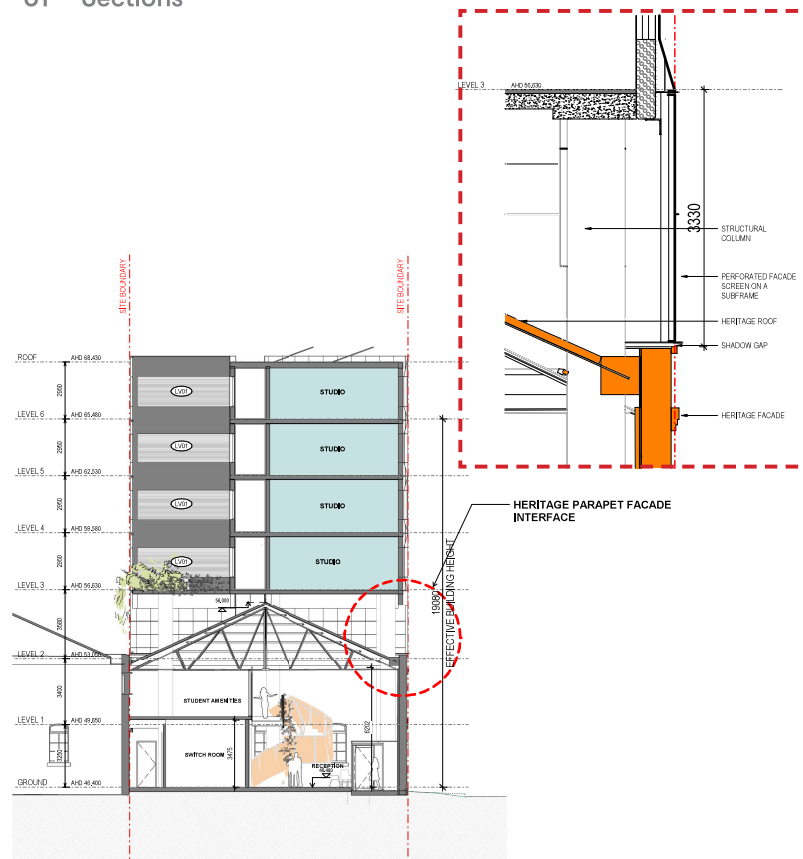
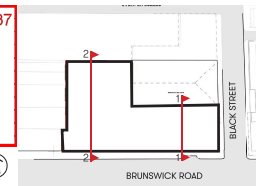
Hayball 80

03 Section

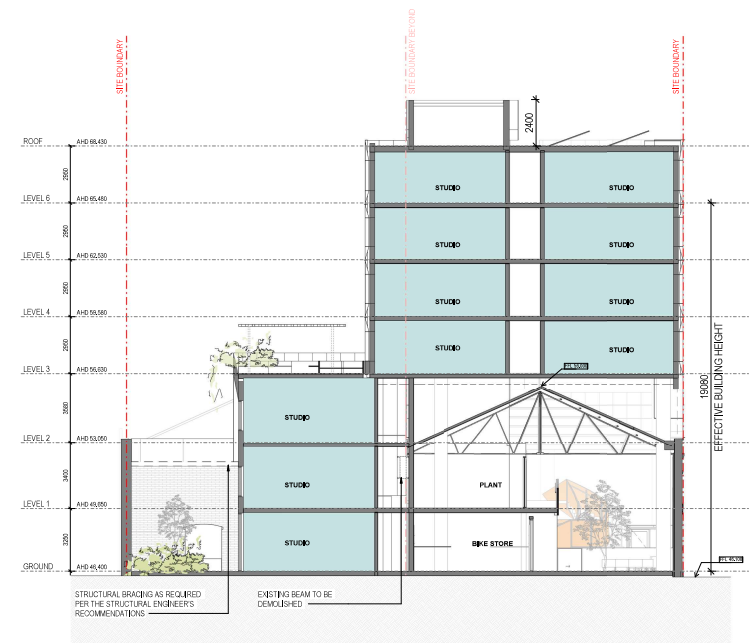
01 Sections

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MERRI-BEK PLANNING SCHEME

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Section 1



Section 2

Project Title
Cable Tram Engine House
253-259 Brunswick Road, Brunswick



McAuslane Sydney Brisbane Canberra
1300 660 000
1300 660 000
1300 660 000
1300 660 000

Drawn By
Checked By
Date Printed
Scale

Author
Checked By
Date Printed
Scale



Rev Date Description

Drawing Title
SECTIONS

Status
TOWN PLANNING

Project No
2732

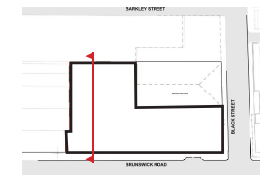
Drawing No
TP06,06

Revision

03 Section
02 Sectional Perspective

PLANNING ENVIRONMENT ACT 1987
 MERRI-BEK PLANNING SCHEME

Advertised Document
 Advertised Plan Sheet: 82 of 88
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Address
 253-259 Brunswick Road, Brunswick

Town Planning Application
 25 February 2025

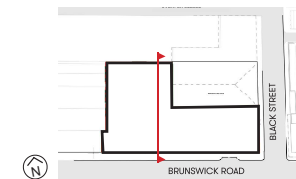
Project No.
 2732

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03 Section
03 Sectional Perspective

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 Date : 23/05/2025



Address
 253-259 Brunswick Road, Brunswick

Town Planning Application
 25 February 2025

Project No.
 2732

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05

Development Summary

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Date : 23/05/2025

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05 Development Summary

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MERRI-BEK PLANNING SCHEME

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Advertised Plan Sheet:85 of 88
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Date : 23/05/2025

Site Area: 1010.8 m²

253-259 BRUNSWICK ROAD, BRUNSWICK														
DEVELOPMENT SUMMARY														
	AREA (m2)	GBA (m2)	SERVICES (m2)	CIRCULATION (m2)	INTERNAL COMMUNAL (m2)		EXTERNAL COMMUNAL (m2)	EXTERNAL LETTABLE AREA (m2)	LETTABLE AREA (RESIDENTIAL) (m2)	BEDS	ROOMS	STUDIO 20,7m ² ~ 25.5 m ²	DDA STUDIO (UNITS) 31.8 m ²	TWIN 31.2 m ²
					LOUNGE & RECEPTION	CAFÉ								
SITE	1010.8													
GROUND		1006.6	164.6	116.6	394.9	114	105		105.5	5	5	5		
LEVEL 01		602.4	98.7	70	284.3				150	7	7	7		
LEVEL 02		234.4	7.8	78.2					150	7	7	7		
LEVEL 03		821.1	26.9	123.2			164.2		506.8	25	23	20	1	2
LEVEL 04		656.6	26.9	122.9					506.8	28	23	20	1	2
LEVEL 05		656.6	26.9	122.9					506.8	29	23	20		3
LEVEL 06		656.6	26.9	122.9					506.8	29	23	20		3
ROOF			178.1											
		4634			793		269		2433	130	111	99	2	10
	Ratio to Units				6.10									
	Total Ratio to Units (Int+Ext)				8.12									
		-120			263		145		143	19	8	2	0	dorm
PREVIOUS SCHEME		4754			530		124		2290	111	103	97	2	6

The information presented herein was produced prior to the completion of construction. Floor areas, dimensions, fittings, finishes, tile patterns and setouts, and the like, and the specifications thereof, are indicative only, are not to scale and are subject to change without notice. Warranty that the information presented herein is a representation of the final product is not given either expressly or implied. Prospective purchasers must rely on their own enquiries.

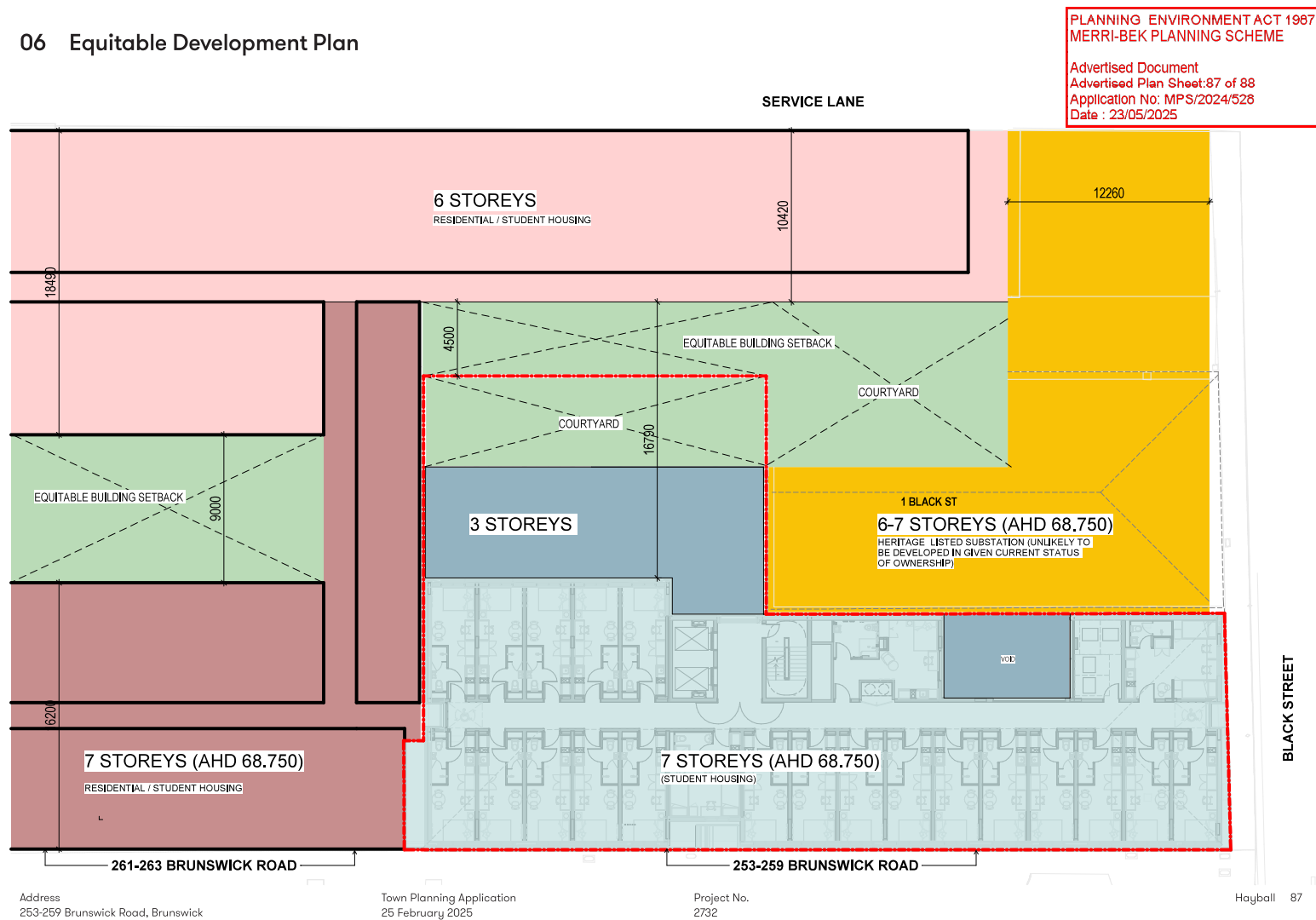
06

Equitable Development Plan

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MERRI-BEK PLANNING SCHEME
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Application No: MPS/2024/528
Date : 23/05/2025

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06 Equitable Development Plan



253-259 Brunswick Road Brunswick

Objector Location Map

- Subject Site
 ● - Objector Location
 NOTE: Objectors not shown - 4

